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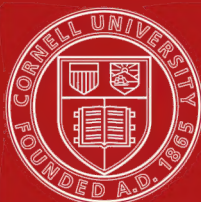
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Ireland under English rule.



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**IRELAND**

**UNDER ENGLISH RULE.**



THIS volume is translated from the "*Etudes sur l'Irlande Contemporaine*," published in 2 vols, 8vo, (Paris; C. Douniol, rue de Tournon ; 1862.) The entire of the work is translated here, with the exception of those articles in the Appendix which could only have an interest for French readers; that is to say, the following :—1°. Article from the *Times*, on the Papal Legion of St. Patrick, after the capitulation of Spoleto, Sept. 1860.—2°. Article from the *Irish Times*, 13th Oct. 1860.—3°. Articles from the *Morning Star*, the *North British Daily Mail*, and the *Times*, on the evictions by Lord Plunket in Nov. 1860.—4°. The General Rules and Orders of the Landed Estates Court.—5°. The more important Sections of the "Passengers Act Amendment Bill." (18 and 19 Vic., cap. 119 ;—1855.)

The work of the Rev. Father Perraud is in the original preceded by a Letter to the author from the celebrated Bishop of Orleans, Mgr. Dupanloup;—intended not merely to convey the personal opinion of the illustrious writer upon the author's labours, but also to serve as an introduction for the book itself to the reading public of France



and the continent. This Letter,—written with all the eloquence, and all the elegance of language, for which the illustrious Prelate is so celebrated in the modern literature of France,—is given in the APPENDIX, (p. 516), at full length, and *in the original*.

Since the publication of this book it has earned also an expression of approval from one of the most distinguished publicists of France,—no less an authority than M. Gustave De Beaumont,—the writer of the singularly able work on Ireland, twenty-five years ago, which has served as the starting point for all subsequent enquiries into the condition of that country. In a Letter addressed to the author, M. De Beaumont warmly assures him that : “ he did not believe he had ever read any work in which the sources of information are more abundant, and in which the facts, compiled with the greatest precision, are presented to the public with more ability and sincerity.” And in a second Letter, a few days afterwards, he adds : “ My only regret is, to have expressed my opinion in words which but feebly show the lively interest and profound sympathy I felt in the perusal of your admirable book. I most ardently hope that the excellent ideas contained in it, and the spirit that breathes through it, may soon make their way in both the Old and New World. The talent of the writer, and the intrinsic merit of his work, are the real guarantees of its success. But, if patronage were needed, you could have none better or more powerful than that of Mgr. the Bishop of Orleans ;—that great prelate, who throws light on everything he examines, and supports indeed whatever he defends ; and who, unceasingly aiming at that union of

faith and liberty which we all desire so much, naturally directs his attention to an unfortunate people whose history may be said to be the very history of that cause. The sanction which he has given your work will undoubtedly have great weight with your readers. For my part, I shall esteem myself happy if even in the most feeble measure I can contribute to the circulation of a work which contains nothing but good ideas, good principles, and good sentiments."

#### ERRATUM.

At p. 475, (in the 'Note on the Constitution of the Dissenting Churches,')  
for "II. THE ANABAPTIST CHURCH, (THE QUAKERS),"—read  
"III. THE BAPTISTS."  
and in that note, for "Anabaptists,"—read "Baptists."

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## HISTORICAL INTRODUCTION.

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THE history of Christian and civilized Europe offers nothing comparable to what we know of Ireland since the conquest of that country by England.

Great iniquities still exist in the world. Slavery has been holding her ground for the last eighty years in the United States, and was a stain upon the American Republic long before becoming the instrument of her ruin, or at least of a scandalous dissolution. In Sweden, civil liberty of conscience is still proscribed by laws of another age, and is only bought by exile or loss of property. Perfidy and violence are going hand in hand to destroy the nationality of Poland, and crush in her the last struggles of Catholic faith by the united force of schism and despotism. In fine, there is in the East of Europe an anti-Christian empire crumbling away visibly under the weight of its own corruption; whose protestations do not hinder indignant Europe from requiring an account of the thousands of victims butchered by Moslem fanaticism almost under our eyes, which empire is, nevertheless, protected by the mutual jealousy and distrust of western nations. All these facts are so many outrages upon justice, and so many insolent triumphs of might over right.

Even beside these astounding iniquities, that of which Ireland has for nearly seven hundred years been the victim deserves the attention of the world; and the bare exposure of her case will forthwith win for her the liveliest and deepest sympathy.

Other nations, even the most unfortunate, have seen days of greatness and prosperity; there is not one amongst them which, after the flood of barbarian invasion had begun to subside, even amid the painful formation of modern society, did not enjoy some influence over neighbouring states, and exercise an action upon the general economy of European politics. Even those now bowed down under the most iron yoke can remember brighter days, and buoy up invincible hope with the memories of a glorious past.

Poland has had her Jagellons, and will never forget the time when, in the hands of her immortal Sobieski, she was

the bulwark of Europe against the irruptions of Islam; Venice and Genoa once led the commerce of the world; Spain, so long distracted by civil war, once ruled an empire scarcely equalled in our times by the British dominion; Gustavus Vasa, Gustavus Adolphus, and Charles XII. gave Sweden, at times, a marked preponderance in northern affairs; the rock of Malta itself, to-day but an advanced sentinel of the English fleet in the Mediterranean, filled, in the annals of modern times, that glorious page which the Villiers de l'Île Adam, the Lavallettes, and the knights of St. John of Jerusalem wrote and signed with their blood.

Ireland has never known such days. At the very moment when, after the struggles and divisions of barbarous times, the nations of the continent began to settle down in unity and strength, her worst days dawned upon her.

The struggles with the Norsemen, and the more fatal dissensions of the princes of Ulster and Munster—of the O'Neils and O'Briens—were still covering Ireland with smoking ruins, and arming the inhabitants one against another for the ruin of all, when, by a mysterious lot, she fell a prey to the English, and was hurled into that arena in which crimson tracks have marked her long and painful course.

We will briefly recount this lamentable history; and we hope to be able to show that if Ireland has succumbed in an unequal contest, it is not that at any time valour, devotedness, and the most indomitable perseverance were wanting to her. These are the very qualities which have protracted the struggle, and so long rendered its issue doubtful.

But besides the fact that her adversaries dared to turn against her arms reprobated by honour, and that she could be vanquished without disgrace where her conquerors could but reap ignominy and shame from their triumph, we may be allowed to think that these extraordinary trials of Ireland have formed a part of the general plan of Providence in her regard. Defeats, like victories, and even more so, have their divine significancy; and if the most grinding and humiliating oppression of the Irish people dates from the time when, by a sublime choice, they preferred the sword and famine to apostacy, who would not consider their humiliation and reverses more glorious than the offensive prosperity of their masters?

It is, in truth, a consolation to think that the immortal cause of human dignity has been better upheld on that field where the shamrock of S. Patrick springs up amidst nothing but ruins, in a land drenched with blood, than in that country where the spiritual omnipotence of Henry VIII. triumphed, in less than a century, over a race haughty and doggedly ten-

acious whenever the perishable interests of this earth are at stake.

## II.

The English domination in Ireland has had one peculiar feature which must be thrown into relief, at the risk of sacrificing many historical details, sufficiently well known, and which have, more than once, been grouped in a masterly manner.

Ireland is not simply a *conquered* country, she is a *confiscated* country; that is to say, the suppression of her nationality and the proscription of her religion are not her only wrongs: what her oppressors coveted and wrenched from her beyond her national independence and religion—(the former destroyed, because for that violence sufficed, the other proof against persecution, and showing to-day more vitality than ever, because the whole world cannot crush conscience)—was the lordship of the Irish soil: so that, as in the wars of antiquity, or the times of barbarian invasion, it was the ownership of the land which was wrested from the vanquished, it was the land itself, and not merely political rights, which the victors claimed and seized. An ambition which has upset the world has, at times, been able to justify itself by the apparent greatness of its object. Is not this greatness missing where glory is less an object than plunder, and where the conqueror seems to aim at nothing but gain? Now, such has been the inevitable and uniform character of all England's wars with Ireland. Whilst the green flag of the latter waved only on fields where she fought for her faith, the possession of her soil, and her religion, the legions of "red coats" braved the perils of battle for lucre. The march of conquest and confiscation were simultaneous.

## III.

It was in the month of May, 1169, that the first soldiers of Henry II. landed on the eastern coast of Ireland. Scarcely more than a century before, William and his Normans had dethroned, at Hastings, the old Saxon dynasty. The remembrance of that invasion and conquest was certainly a powerful incitement to FitzGerald, Strongbow, and their companions. Besides, what could the Irish cavalry, mounted upon small ponies, and having no arms of attack but small javelins, and of defence but wooden bucklers, do against the long lances and mailed steeds of the Normans? Be it said also that a traitor had undertaken to give information to the strangers, and that



from the outset of the Anglo-Norman conquest perfidiously seconded violence. A King of Leinster, Dermot, expelled through hatred of his tyranny, had fled into England: there he found Henry II. meditating for fourteen years before on the means of executing the bull of donation which he had obtained from Adrian IV.\* Treason came to offer to too-long-restrained ambition the prey it coveted. Henry II. took care not to neglect so good an opportunity, and the expedition to Ireland was resolved on. A similar crime, crowned with like success, had, four centuries before, opened Spain to the Mussulmen of Africa, and the name of Dermot has come down to us not less execrable than that of Count Julian.

A rapid but incomplete conquest, succeeded by partial insurrections, and lastly by a general rising, were the phases of the invasion from 1169 to 1175. A treaty, concluded at this time between Henry II. and Roderick O'Connor—who took upon himself to stipulate in the name of the whole island—conferred on Henry the suzerainty of the island, and the immediate dominion over the the south-east part, comprising the kingdoms of Meath and Leinster, Dublin and its dependencies, and Waterford as far as Dungarvan. This tract, thus become a real English province, was called the *Pale*, on account of the pallisades and fortifications enclosing it.

With the establishment of this armed colony commenced a struggle of four centuries, during which the *Pale* may be looked upon as a fortress besieged on the land side, and receiving continual reinforcements by sea; the besieged made frequent sorties, and sometimes carried fire and sword beyond the Shannon; the natives rushed against the English citadel, and made heroic efforts to drive into the sea the soldiers of Strongbow and Hugh de Lacy. But after bloody encounters, the limits of the two powers remained nearly the same; the English not having available force enough to crush at a single blow the desperate resistance of the enemy and, unfortunately for Ireland, her native princes not bidding sufficient truce to their mutual broils to oppose to the invaders a compact unity and the final effort of a *levée en masse*.

In the fourteenth century, the national party found in

\* It is well known by what means the religious feeling of this Pope was surprised. As soon as Henry II. had learned the exaltation of his fellow-countryman, Nicholas Breakspere, to the Chair of St. Peter, he sent an embassy to him to represent to him the deplorable state to which religion was reduced in Ireland—to persuade him that the authority of the Vicar of Jesus Christ was completely misconceived there—and to offer to re-establish in that unhappy country proper discipline, manners, and obedience to the supreme Pastor. Deceived by these hypocritical insinuations, Adrian IV. sent Henry II. the bull, of which so perfidious a use was made contrary to his real intentions. —(Haverty, *History of Ireland*, 1860; p. 202.)

Edward Bruce, and his valiant followers, powerful auxiliaries against the English; but the great battle of Faughard (1318), in which Bruce was slain, blighted these hopes; and although at the reign of Edward III. the boundary of the Pale had considerably shrunk, the English still held enough of ground not to give up the idea of a conquest where national pride and private greed were so largely engaged.

Two expeditions of Richard II. again covered Ireland with ruins and slaughter, without forwarding the solution of the question; and the terrible struggle of the wars of the Roses, in which the fields of England were drenched with her noblest blood, did not allow the garrison of the Pale to think of anything more than holding their own and repulsing the attacks of the natives.

The support given by Ireland, in the reign of the first of the Tudors, to two adventurers, who attempted to get possession of the throne upon which the rights of the houses of York and Lancaster were centered in the person of Henry VII., proves, that after three centuries of uninterrupted war, the English empire in Ireland was anything but stable, since one Lambert Simnel, the son of an Oxford tradesman, and a young Fleming, Perkin Warbeck, were able to threaten the future of the new dynasty; but these attempts failed, and when, under Henry VIII., it was a name dear to Ireland that rallied around it all the faithful soldiers of independence, a piece of odious perfidy, to which the English general, Lord Leonard Gray, stooped, deprived the national party of the brave Thomas FitzGerald, and his uncles, who were bold enough to aspire after an Ireland free and Irish. All were hanged and quartered at Tyburn, in the century in which the perilous and difficult work of conquest was to be brought to a close.

#### IV.

Up to the present, territorial confiscation had been effected on a limited scale. The unarmed and defenceless alone can be despoiled with impunity. During the last four centuries, the Irish had too valiantly defended their independence, to warrant English soldiers, however great their lust of plunder, to risk the acceptance of vast domains far from the protection of the Pale and the garrison.

We must distinguish, under Henry II., confiscation in law, and confiscation in fact. The first was general, absolute, without restriction; not only inasmuch as the English monarch had got himself proclaimed sovereign of the kingdom of Ireland, which, according to feudal law, only conferred upon

him a *mediate* sovereignty over the land, and not one equivalent to ownership,—but because Henry divided Ireland as a conquered country among his barons; so that, according to the testimony of Sir John Davies, Attorney-General in the time of James I., “all Ireland was, by Henry, cantonized among ten of the English nation; and though they had not gained possession of one-third of the kingdom, yet, in title, they were owners and lords of all, so as nothing was left to be granted to the natives.”\*

As to the occupation of the granted lands, or confiscation in fact, it was not to be done by a stroke of the pen; and many a struggle had to be gone through before the royal charters came into full operation.

From the outset Henry II. gave away considerable domains:† to Hugh De Lacy, to Richard Strongbow, to FitzGerald, and to the principal barons of the invading army.‡ But these lands were situated in Leinster and Meath, *i.e.*, beyond the limits of the English Pale.§ It was also by grants of land that Richard II. succeeded in gaining over to the royal banners a few of the chieftains of Ulster and Munster; but these were but slender beginnings. In the Anglo-Norman race prudence and violence go hand in hand for lucre: the time had not yet come for safely settling down in the remote districts of that island, so fertile in soil, so mild in climate; as yet they were but an English army encamped in Ireland; they could venture upon murderous forays as far as Connacht, but before the barons could build castles on the shores of Lough Corrib, or in the rich valleys of Antrim|| county, the persecuting genius of Elizabeth, the fiscal profligacy of James I., and the merciless blade of Cromwell’s troopers had to be thrown into the scale.

\* (Quoted by Haverty, p. 224.)

† To Hugh de Lacy, 800,000 acres; to another baron, in the County Limerick, 100,000 acres. (Th. Moore, *History of Ireland*, ch. xxvii.)

‡ “Thus was commenced on a large scale that wholesale confiscation by which the land of Ireland was taken indiscriminately from its ancient possessors, and granted, without any show of title, to the Anglo-Norman adventurers.” (Haverty, *History of Ireland*, p. 207.)

§ When the kingdom of Cork had been granted by charter to Robert Fitz-Stephen and Milo de Cogan, they only succeeded in getting possession of a few cantons of the vast territory many years later; and when the brothers of the Earl of Limerick had been invested with the county of Limerick or Thomond, they declined the dangerous gift, which another competitor, Philip de Brason, vainly tried to get into his power.

|| The domains thus granted, but not occupied, have been happily called “*fiefs in partibus*.” (*L’Irlande*, by Messrs. Chavanne de la Giraudière and Huillard-Bréholles, p. 58.)

## V.

A rapid sketch of English legislation in Ireland during these four centuries, will show, in its clearest light, the real character of the conquest. That legislation goes farther, even, than the memory of armed violence, to justify the eternal antipathy of the Irish nation for the masters who have thrust themselves upon her. The whole spirit of that legislation is summed up in the term habitually used to designate the Irish in the official documents of the epoch, "the Irish enemy;" an expression which says and explains all, and which itself represented a principle of which particular laws were only the application.

"Against the stranger," (*i.e.*, against the enemy—the pagans had but a single term to express those two ideas,) "eternal revenge," was one of the fundamental principles of the barbarous code of the XII. Tables.\*

The application of this principle to the Irish enemy fell into disuse only at the end of the eighteenth century; and the principle itself was not abrogated until a period not very distant from us.

For the citizen, equality and justice; for the subject, protection and kindness; but for him who is not even a subject—for him who is an enemy, and a wild enemy†—what, according to the ideas of those days, was there other than the brutal law of force, and the perseverance of an unrelenting rigour—"adversus hostem æterna auctoritas."

A few quotations will show that such certainly was the rule followed by the English kings in their dealings with the Irish people.

Under Edward I., the native clans nearest the English establishments proposed the cessation of all hostilities, and only demanded, together with the title of subjects, the benefit of English law.‡ But the name of subjects granted them, together with the benefit of the laws, would have saved them from the systematized depredations of their powerful neighbours; the official title of subjection was, consequently, refused them, for fear it might become a title to protection.§

\* *Adversus hostem æterna auctoritas*.—(Tab. III., Frag. 7, vid. Cic. De Off. Book i. chap. 12.)

† "Wild Irish," as often used as "Irish enemy." Both are found together in a French despatch of Richard II. to his council, in 1394: "*Les Irrois sauvages, nos ennemis*" (quoted by Moore ii. 236). "The term wild Irish is as familiar in the English language as the term wild beasts." (Preb. Milner; *An Inquiry*, p. 232.)

‡ The petitioners offered to pay into the royal treasury 8,000 marks as the price of this concession. (Moore, ch. 35.) § M. El. Regnault; *l'Irl.* p. 125.

A law of the reign of Edward II. (1307-1327) permitted every English landlord to destroy the will of any of his Irish dependants, and to dispose of their property as he thought fit, and even to appropriate it himself.\*

The progress of oppression and misery had induced a certain number of Irish to fly their unfortunate country as early as the beginning of the fifteenth century: this was the beginning of the exodus of which our own times were destined to see the lamentable excess. A law of Henry IV. forbade the emigration of the "Irish enemy."†

During the same reign, commerce with the "Irish enemy" was forbidden; every English dealer carrying on business with the Irish was to be considered a criminal, and treated as such. Commercial relations were not, however, the only things proscribed.

But commercial relations were not the only ones interdicted and punished. "Every Irishman found talking with an Englishman shall be apprehended as a spy, and punished as an enemy of the king."—*adversus hostem æterna auctoritas!* An act of the fifth year of Edward IV., surpasses the above-mentioned in brutal contempt of justice and humanity:—"That it shall be lawful to all manner of men that find any thieves . . . . . having no faithful men of good name and fame in their company, in English apparel, to take and kill those, and to cut off their heads." And a subsequent Act imperatively commanded that the Irish within the pale shall wear English habit, take English names, and swear allegiance upon pain and forfeiture of goods.‡

Every English subject, or Norman, marrying an Irishwoman, or wearing the Irish dress, was to be treated as an Irishman, *i.e.*, as a serf in body and goods.

It is hard to say whether cruelty or absurdity predominates in the following law: ". . . . . that any man who did not shave his upper lip might be treated as an Irish enemy."§—(Law of 1447, Henry IV.) This law was repealed only in the second year of the reign of Charles I.

The statute of Kilkenny, passed in 1367, contained, among other severe measures, destined to separate the two peoples by an irreconcilable hatred, a clause making the choice of an Irish nurse equal to high treason.

The textual reproduction of these legislative movements of

\* Moore, iii. 75.

† "By an Act of the Parliament, in the 11th year of this reign, it was ordained that no *Irish enemy* should be permitted to depart from the realm, without special leave under the Great Seal of Ireland." (Moore, iii. 151.)

‡ 5 Ed. IV. cap. ii. and cap. iii. (A.D. 1465.)

§ Haverty, p. 325.



the English domination in Ireland, from the twelfth to the sixteenth century, is required, in order to take away the air of exaggeration and injustice from the following request addressed to Pope John XXII., at the beginning of the fourteenth century:—

“Most Holy Father, we send you some precise and truthful information with regard to the state of our nation, and the injustice we are undergoing, and our ancestors have undergone, at the hands of the kings of England, of their agents, and of the English barons born in Ireland.

“After having violently expelled us from our habitations, from our fields and our ancestral lands,—after having forced us to save our life by fleeing to the mountains, the bogs, the woods and caves,—they are perpetually harassing us even here, in order to drive us out, and to take possession of our country in all its extent. They have annihilated all the written laws by which we were formerly governed. They have left us without laws, in order the better to compass our ruin. They have enacted detestable ones . . . . It is the belief of all their laymen, and of many of their ecclesiastics, that there is no more sin in killing an Irishman than in killing a dog.\* They all maintain that they have a right, if they can, to take from us our lands and our goods.†

“These grievances, added to the difference of language and manners existing between them and us, render the idea of any understanding between them and us impossible,—so great is their lust of dominion, and so lively is our natural desire to rid ourselves of an intolerable servitude, and to recover the inheritance of our sires. We have, in the bottom of our heart, an inveterate hatred, produced by long injustice, by the murder of our fathers, of our brothers, of our near relations; and one which will not be quenched either in our times, or those of our children. Thus, then, we are determined to fight, without remorse, as long as we live, for our rights; and we will never leave off until the day when they shall be unable to do us any more harm, and on which the supreme Judge shall have visited their crimes with vengeance, which will happen sooner or later, we confidently hope. Until then, we will fight to the death for independence, which is our natural right, forced thereto as we are by every necessity, and choosing rather to brave peril like men of heart, than to pine away amidst affronts.”‡

A merciless war, in which the sword and *law* did equal execution, having for its object wholesale confiscation of the

\* “Benecognovit quod prædictum Joannem interfecit; dicit tamen quod per ejus interfectionem feloniam committere non poterit, quia dicit quod prædictus Joannes fuit Hibernicus.”

† And their honor, too. The crime of violation was not punishable by law when the victim was an Irishwoman. See a case which happened under Edward I. :—Robert de la Roche and Adam le Waleys were indicted for an offence of this description against Margery O’Rorke; but it being found that the aforesaid Margery was an Irishwoman, the aggressors were acquitted. (T. Moore, p. 177.)

‡ Fordun, *Scot. Hist.*, Ed. Hearne, v. iii. p. 920, translated into French by M. Anguin Thierry.

Irish soil; such, in two words, is the history of the English conquest up to the period when the antagonism of religions, added to the national antipathies of four centuries, lent the war a more atrocious character, made oppressive laws the mightiest instrument of fanaticism, and enlisted in the service of the most ignoble cupidity the great names of God, of truth, and the Gospel.

## VI.

The work of the Reformation\* was progressive, and did not immediately proceed to extremities of violence. Henry VIII. was the first who sought to sever the bonds of obedience and love which united the Isle of Saints with the Church of Rome, the mother and ruler of all the churches. Edward VI., his son, went farther. He added heresy to schism, and backed both with that formidable despotism which Henry VIII. had bequeathed to his successors in the religious supremacy.

We shall speak further on of the acts of the first apostles of the reformed faith, and of the character which the preaching of the new Gospel bore in Ireland. In this general introduction it will suffice to sketch rapidly the bloody picture of what may be called the second conquest of Ireland.

Although religious persecution in Ireland dates from the reign of Henry VIII., still upon Elizabeth falls the fearful responsibility of having inaugurated against the Catholics of Ireland a system of oppression coldly calculated to uproot from that country every vestige of the old faith. Henceforth devastations, famines, confiscations, exterminations, succeed one another almost unremittingly in unfortunate Ireland. Elizabeth and her successors govern by them, and make them, as it were, the normal conditions of the English domination.

We find in a very curious work of the poet Spencer, one of Elizabeth's counsellors, a plan proposed to that princess for crushing at a single blow the obstinate resistance of Ireland: "The end will (I assure me) be very short, and much sooner than can be in so great a trouble as it seemeth, hoped for; although there should none of them fall by the sword, nor be slain by the soldier, yet thus, being kept from manurance, and their cattle from running abroad, by this hard restraint they *would quickly consume themselves, and devour one another.*"†

One shudders to think that this frightful programme did not remain a dead letter; and this same Spencer tells us

\* It cannot form part of our plan to review the two notorious circumstances which accompanied the commencement of the Reformation in England.

† (*A View of the State of Ireland*, by Edm. Spencer, Esq. Thom, Dub. 1860, p. 525;—ed. 12mo; Dubl. 1763, p. 158.)

how it was applied in Munster after the revolt of the Earl of Desmond.

"Notwithstanding that the same was a most rich and plentifull countrey, full of corn and cattle, that you would have thought they should have been able to stand long, yet ere one yeare and a halfe they were brought to such wretchednesse as that any stoney heart would have rued the same. Out of every corner of the woods and glynnes, they came creeping forth upon their hands, for their legges could not bear them; they looked like anatomies of death; they spake like ghosts crying out of their graves; they did eate the dead carrions, happy where they could find them, yea, and one another soone after, inasmuch as the very carcasses they spared not to scrape out of their graves; and, if they found a plot of water-cresses or shamrocks, there they flocked as to a feast for the time, yet not able long to continue therewithal; that in short space there were none almost left; and a most populous and plentiful countrey suddainely left voyde of man and beast; yet sure in all that warre, there perished not many by the sword, but all by the extremitie of famine, which they themselves had wrought." (Ib. p. 526.)

Florus attempting to describe the state of Samnium after it had been ravaged by the orders of the senate, and put to fire and sword by the legions of Decius Mus and Fabius Rullianus, says, with his admirable conciseness: "Everything was destroyed, even to the ruins of the towns, so that Samnium has to be looked for in Samnium itself, and one cannot easily discover the matter of four-and-twenty triumphs.\*

During the reign of Elizabeth, the governors of Carrickfergus and Newry, Sir Arthur Chichester and Sir Samuel Bagnel, were not less merciless than the ravagers of Samnium. Unable, like the Roman generals, to plead pagan customs in their defence, and the horrible public law of antiquity in the matter of wars and conquests, they applied to Leinster and Ulster the system which had been attended with such success in Munster. The soldiers were ordered to destroy the corn in the fields, to burn the farm-houses, and to leave the inhabitants no means of subsistence.

These barbarities gave rise to new revolts, causing in their turn bloodier repressions. After the Earl of Desmond, the great O'Neil took up arms in the north. The uniform issue of

\* *Ita ruinas ipsas urbium diruit, ut hodie Samnium in ipso Samnio requiratur, nec facile appareat materia quatuor et vigintorum triumphorum.* (Florus, i. 16.) The Jewish Law forbade these devastations: "Non succides arbores de quibus vesci potest, nec securibus percircuitum debes vastare regionem.—Quoniam lignum est, et non homo, nec potest bellantium contra te augere numerum." (Deut. xx. 19.)

these rebellions, and of the pitiless wars which followed them, was the rapid progress of territorial confiscation. The widest application of this process, inaugurated by the barons of Henry II., was made at this time. After the revolt of the Earl of Desmond was quenched in the blood of the rebels, 600,000 acres of land were confiscated in the single province of Munster (in 1586), and offered in England to anyone who would take them,—under certain conditions, however: the first of which was, that every single Irish cultivator or farmer should be hunted off them.\* In this way about 200,000 acres were parcelled out among fresh English colonists.

The consequence was that the depth of the wildest forests, and the trackless wastes of the Irish mountains, were the only shelter left to the ancient possessors of the soil, thus thrust out of their rightful heritage.†

At the end of her long reign (1558-63), when exhausted Ireland, according to Lord Gray, one of Elizabeth's lieutenants, was nothing but a heap of ashes and corpses,‡ the "virgin queen" gave glory to God, and got a medal struck bearing the inscription: "Pacata Hibernia." In the same way two centuries and a-half after the cruel daughter of Henry VIII., another despot, like her supreme head of a church, having obtained, by a violence considered impossible in these late times, the desertion of part of the Ruthenes,§ ordered a medal to be struck, "which the latest posterity will see glittering on his breast like a damning brand," bearing these words: "Separated by hatred in 1525—united by love in 1839."||

## VII.

The "Pacified Ireland" bequeathed by Elizabeth to her successors was handled precisely in the same manner as the "wild and hostile Ireland" of the twelfth, thirteenth, and fourteenth centuries; and, to quote a celebrated saying of Tacitus, never misplaced in the case of Ireland, it was by a stern succession of ravages and confiscations that what was with heartless irony called the royal peace became more and more general.¶

\* None of the native Irish were to be admitted among their tenantry. (Leland, ii. 301. Lingard, iv. 399.) "*No Irish need apply.*" Certain English houses in Ireland still dare to use the same formula, when advertising for clerks or servants. The fusion of the two races is evidently far from accomplished; and, at every turn, the national susceptibility of the vanquished is wounded by the intolerable arrogance of the victor.

† Leland, ii. M. Gustave de Beaumont, i. p. 55.

‡ "Little was left in Ireland for her Majesty to reign over but carcasses and ashes."

§ A desertion fortunately more apparent than real.

|| *L'Eglise Catholique en Pologne sous le gouvernement Russe*, by the Rev. Father Lescœur, of the Oratory; p. 42.

¶ "*Ubi solitudinem faciunt, pacem appellant.*"

Under James I., after the real or pretended conspiracy of three Irish princes, the six northern countries belonging to them were seized, and a half a million of acres handed over to fresh English and Scotch adventurers, on the condition, however, of their belonging to the Anglican Church;\* and when, at last, this "heap of ashes and corpses" had not strength enough left to rise, and give colour by new rebellion to new butchery,—James, unwilling to leave unfinished the important work of confiscation, compassed the same end by another means.

Most Irish families held possession of their lands but by tradition, and their rights could not be proved by regular title-deeds. By royal command, a general inquiry was instituted; and whoever could not prove his right to the seat of his ancestors by authentic documents was mercilessly, but juridically, despoiled of it; the pen of the lawyer thus making as many conquests as the blade of the mercenary. Hallam and Lingard set down at 450,000, the number of acres which, by this means, fell to the crown.

Three out of the four provinces of Ireland, had already fallen a prey to Protestant adventurers. There remained Connacht, certainly the most wretched of the four. It was Strafford, the minister of Charles I., who brought it down to the common level, making use, at once, of violence and chicane, setting in motion the red uniform and the wig, together. According to Lingard, this third confiscation comprised about 240,000 acres, and would have been completely effected had not the courageous resistance of the men of Connacht thwarted the realization of a plan in which violence and perfidy went hand in hand.

The formidable insurrection of 1641 checked but a moment the irresistible sweep of the English system; and by drawing down the more frightful vengeance of the English Parliament, hastened on the time when, from Donegal to Mizen Head, and from Galway bay to the bay of Dundalk, the Irish people were to become strangers in the land of their birth.

Money was wanted for this new war of extirpation. It was got by mortgaging to the lenders the property of Irish Catholics.† 2,500,000 acres of land were thus pledged.

Enriched by means of this mortgage upon the spoils that were

\* "That they should not suffer any labourer that should not take the oath of supremacy to dwell upon their land." (Plowden, I., 105.) The six counties confiscated were those of Armagh, Cavan, Fermanagh, Derry, Tyrone, and Donegal.

† "In exchange for these 2,500,000 acres, the government received £1,000,000 sterling, so that it was the Irish themselves who bore the expense of the terrible punishment which Protestant fanaticism hastened to inflict upon them. It was besides arranged that these 2,500,000 acres should be

to be made by fire and sword, the Parliament despatched its troops, and in the very middle of the seventeenth century, a war, which, like that of the mercenaries of Carthage, might be termed *inexpiable*, began between the English soldiery and Ireland in arms.

The substance of the instructions given by the Lords Justices to the Parliamentary armies, was:—"To attack, kill, massacre, annihilate all the rebels, their abettors and accomplices; to burn, destroy, devastate, plunder, consume, demolish all places, towns, or houses, where the rebels had been assisted or sheltered, all the crops, whether corn or hay; to kill, to annihilate all males met in those places."

They were so faithfully followed, that Ireland became a desert; or, according to a mournful saying, "There was not water enough to drown a man, wood to hang him, or earth to bury him."\* All was not done, however, since there was enough left to enable Cromwell to surpass all preceding revellers in the slaughter of unfortunate Ireland, and since his name alone is a legend of bloodshed and murder, handed down in terror from generation to generation, to which popular imagination seems powerless to lend any additional horror.

Upon the accomplishment of this new conquest, the soil was once more partitioned. According to a precious MS. belonging to the family of Sheffield Grace, and quoted by Lingard, the amount of land confiscated under the Commonwealth must be set down at 7,708,237 acres standard measure.†

The money-lenders had the first claim upon the spoils of Ireland. When they were glutted, came the turn of Cromwell's officers and soldiers; and as even after eight years of butchery, executions, and transportations, the Catholic population was too large, and a subject of uneasiness to the conquerors, Cromwell tried a bold expedient. Ulster, Leinster, and Munster had been handed over either to the London merchants or the troopers of the Parliamentary army. Connaught, depopulated by pestilence and the sword, was turned into a prison for the surviving Irish. There they were penned up, like cattle, a law of parliament legalizing the murder of any one found beyond the prescribed limits.‡

exclusively selected from "profitable lands." These figures, therefore, afford only an approximate idea of the extent of territory confiscated. The entire details of this loan and colonization business may be seen in the "Journal of the House of Commons, II., 435, 1st February, 1642, and in *Rushworth's Historical Collections*, IV. 557.

\* Villemain, *Hist. de Cromwell*, Book iv. vol. ii. p. 247.

† Lingard, v. 230.

‡ "All of them who, after that time, should be found in any other part of the kingdom, man, woman, or child, might be killed by anybody who saw or met them."

We are not thence to suppose that the whole province was given up to the Catholics. They were studiously banished from the towns,\* which were colonized by Protestants, and were allowed the privilege of going to die of starvation on the bogs stretching from Galway to Belmullet and Sligo.

It was then chiefly that the vanquished felt the terrible import of the term "wild enemies," which in the official language had long been used to designate the men of the Irish race, but which from the time of the Reformation became almost exclusively synonymous with the term Catholic. In fact, no one, even though of English extraction, could, unless he were a Protestant, dream of a claim to the rights and guarantees upon which, in civilized society, the mutual relations of man with man are based. The relative position of the Laconians and Helots with regard to the Spartans, gives one a generally correct notion of the state to which the Irish people were reduced.† On the one hand, ownership of the land and political rights; on the other, bondage and misery, without any share in state concerns. And as the Spartan alone, to the exclusion of the tributary Laconian, and the Helot slave, enjoyed the privileges of citizenship, so, to the exclusion of the ancient lords of the soil, the Protestants of Ireland, either bankers enriched by the national ruin, or soldiers of fortune, alone represented in the eyes of the government and of the law the Irish nation.

## VIII.

For a moment a ray of hope broke upon the proscribed nation at the restoration of the Stuarts, in the person of Charles II.: she appealed from this wholesale confiscation to the successor of the prince she had so generously defended. It was to no purpose, however, that Louis XIV. wrote several times with his own hand to remind Charles II. of the services rendered to the Stuarts by faithful and Catholic Ireland. Charles wanted the courage to override the misgivings of the Protestant party: the Restoration was but the sanction and confirmation of the iniquities of preceding reigns. A repartition in 1675 of more than four millions and a half of acres, sequestered during the parliamentary wars, was nothing but a royal "placet" stamped by the hand of a Stuart upon the decrees of

\* "Clearing the town," is the very expression used by a Parliamentary general of that time, Sir Charles Coote.

† The *Times* confesses it: "For generations the proprietors of the land in Ireland were Spartans among a Helot peasantry, almost planters among negro slaves." (May, 1858.)

spoliation signed by the Long Parliament and Cromwell.\* Be it that Charles yielded to the merciless exigencies of prevalent fanaticism, or to the cowardly promptings of a policy unworthy a king; in either case justice was none the less sacrificed.

Ireland repaid this desertion by untiring devotedness; and when the revolution of 1688 had again overturned the throne of the Stuarts, the Catholics of Ireland found gold and blood for the cause of James II. Hence that implacable animosity which, on each succeeding anniversary of the battle of the Boyne and the siege of Derry, arms against the peaceful population of the north the murderous fury of the orange lodges, and which but lately dyed the streets of Belfast, Derry, and Lurgan with blood, to the vociferous shouts of "Long live William III.! To hell with the Pope! Down with the Papists!"†

The capitulation of Limerick, signed in 1691, secured to the Catholics of Ireland a few rights and a little liberty, and, above all others, religious freedom. It had been ratified by William III., and we have no reason to suppose that that prince did not sincerely intend to see its provisions observed; but the Protestant rancour of parliament was more powerful than the good will of the prince. The most vital articles of the capitulation were ignored, especially in all cases where the Catholic religion and the liberties granted to its professors were concerned; and four thousand Irish were denounced as traitors and rebels,—by which declaration a fresh confiscation of 1,060,000 acres was immediately effected.‡

A glance will suffice to show how rapidly the work of spoliation had been carried on from Elizabeth to William. Let us recapitulate.

600,000 acres after Earl Desmond's revolt,	. . .	600,000
1,000,000 under James I.,	. . . . .	1,000,000
During the wars of the Commonwealth,	. . .	7,700,000
At the beginning of William's reign,	. . .	1,060,000
		<hr/>
		10,360,000

This figure is a little under the truth, and does not give us a

\* See in Lingard (v. 331), according to the Sheffield Grace MSS. above quoted, the details of this repartition in 1675.

† On the 12th of July, 1860, an orange body fired upon an inoffensive and unarmed crowd at Derrymacash, in the neighbourhood of Lurgan. Many persons were wounded, one of whom died after a painful agony of some months. I was myself in Ulster at the time the legal enquiry into this affair was opened.

‡ Lawrence ii. 48; Hallam v. 286 (quoted by M. Gustave de Beaumont, 1, 91).



rigidly exact idea of the amount of land confiscated; for, on the one hand, the confiscations had only extended to the "profitable lands," and, on the other, the Church lands made over to the dignitaries of the Establishment, besides a certain amount of land held without titles, did not find their way into the lists.

This second conquest of Ireland was begun in 1586; and it has been calculated, that in 1692, the Irish Catholics, who quadrupled the Protestants in number, owned only one-eleventh of the soil, and that the most wretched and unproductive portion. Were we, then, right in saying that by a policy unparalleled in the history of any other Christian nation, which had animated with one hatred and united in one injustice both Plantagenet and Lancaster, Tudor and Stuart, Puritan and Williamite, all dynasties and all parties, Ireland was not only a *conquered* but a *confiscated* country, and that the English domination in Ireland, especially from the time of the reformation, had borne less the character of a suppression of national independence than that of a daring and general violation of the rights of property?\*

The expression "plundered nation" is better suited, we confess, to the popular boldness of platform eloquence than to the sobriety and reserve of history; but at bottom, history does not belie it; on the contrary, it is an expression which sums up, with deplorable precision, the greater part of Ireland's history.

## IX.

The eighteenth century ushers in another period for Ireland; that known by the name of "the penal law" period. It was by these new arms that the third conquest of Ireland was to be effected. Thereby a kind of homage is paid to the progress of the age; the noise made abroad by massacre and wars of extermination is avoided,—a noise which never fails to tarnish the escutcheon of a great people. There is a great deal to be gained by such a system; it acts more quietly; the victim, treacherously strangled, is secured without a shriek; and the end of five centuries of stern and bloody effort, will be only more surely attained; that end is to take Ireland from the Catholic Celts, and hand her over to English Protestants.†

\* See *Lettres* of M. Duvergier de Hauranne on Ireland, p. 199.

† That such has incontestably been the great aim of English policy in Ireland, we know, and have on that point the testimony of Protestant authors, certainly not to be accused of partiality towards Ireland—"The favourite object of the Irish governors, and of the English Parliament, was the utter extirpation of all the Catholic inhabitants of Ireland." (Leland, iii. 192.)

Did the celebrated Burke characterize too severely the system of legal oppression inaugurated by the new dynasty against Ireland, when he said that "It was a machine of wise and elaborate contrivance as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man." (Burke's Works, p. 87.)

Many remarkable works, published both in France and Ireland,\* upon the penal laws of the eighteenth century, save us the task of a complete enumeration of all the intricacies of that machine,—a task in which the heart, and not the head, suffers; which leaves after it an unspeakable feeling of disgust; so hideously are the most repulsive of human passions revealed in all their nakedness.

Let the reader judge by a few quotations of the general spirit of these laws, "all political in their consequences, without ever ceasing to involve an exclusively religious principle."†

If the eldest son of a Catholic family became a Protestant, the very fact invested him with the ownership of his parents' property; who had for the future nothing but the revenue coming from it, and who stood to their son in the position of tenants to their landlord.‡ A rigorous but necessary law, says Gordon, the Protestant historian. Precisely the way in which the Pro-consuls of '93 will speak of the "drownings" at Nantes, and of the hecatombs of human victims slaughtered in the Place Louis XV.; what is it but childishness to dispute about the means, when the sovereignty of the end is laid down as a principle?

No Catholic could be guardian to Catholic children. In case a Protestant guardian had not been appointed by the family, it was the duty of the Chancellor of Ireland to choose one for the Catholic minor.§

All Catholics acting as tutors were banished from Ireland. Those who returned to their country incurred sentence of death.||

"It is evident, from the Lords Justices last letter to the Lieutenant, that they hoped for an extirpation not of the mere Irish only but of all the English families that were Roman Catholics." (Warner, p. 176.) "Extirpation preached for Gospel." (Carte's *Ormond*, iii. 170.) And those of the national party who, to-day, protest against these lamentable evictions of tenants which seem to be the basis of a new system of economy, are not to be accused of exaggeration when they complain that the old Celtic race is being swept out of Ireland. They only say what the force of truth has made many Englishmen say before them, who were not prejudiced in Ireland's favour.

\* Scully's *Penal Laws*—G. Lewis's *Irish Disturbances*—M. Gustave de Beaumont *Introduction Historique*, 3rd epoch. Nothing is more interesting than the sketch of the penal laws, as M. de Beaumont has traced them in this portion of his admirable work.

† M. Gustave de Beaumont, i. p. 125.

‡ Stat. of 2 Anne, c. vi. s. 3.

§ Ib. s. 4.

|| 8 Anne, c. iii. s. 34.

If a priest married a Catholic to a Protestant, the penalty was death.\*

All bishops or ecclesiastical superiors whatever, having the power to ordain, were banished; in case of return, sentence of death was incurred.†

Catholics were excluded from parliament, from public offices, and from the liberal professions, except that of medicine.‡

By a law of 1703, modified in 1778, and repealed only in 1782, Irish Catholics were declared incapable of acquiring landed property.§ They might become farmers, but under the following conditions: their lease must not exceed thirty years, a period regarded in Ireland at that time as very short; and during the whole run of the lease, the rent must, at least, equal two-thirds of the produce of the land.||

As to manufacturers, the English parliament ordered the destruction of the Irish woollen manufactures; and the parliament of Dublin servilely endorsed this all-important sentence decreed in favour of British monopoly.—(June, 1698, and 25th March, 1699.)

The parliament of London decreed, moreover, that whoever infringed the law made in favour of English manufactures, should be liable to a trial before the courts both of England and Ireland; and in case of an acquittal in the latter country, he might at any time be again seized and tried in an English court.¶ “That is to say,” says M. Gustave de Beaumont, citing this law, “that the primary forms and principles of justice were violated, in order to uphold a piece of iniquity.”—(i. 99.)

No Catholic could take more than two apprentices.\*\*

Catholics were forbidden to keep horses worth more than five pounds: any Protestant was empowered to seize the best horse belonging to a Catholic, upon the payment of this sum. It is worthy of remark, that the offence here mentioned is not one's appearance in public with fine horses,—it is the simple fact of possessing them. If a Catholic showed his horses, they were taken from him; if he concealed them, he was punished.††

Enough of this wearisome enumeration of laws and orders, with which those who to-day hail in the orange revolution of 1688 the dawn of an era of liberty and justice are but too little acquainted. About this time, a young Oxfordman, destined to become, later, the first statesman of his country, sang in Latin verse the tutelary divinities of Great Britain—

\* 8 Anne, c. iii. s. 26.

† 9 Will., c. i.

‡ 3 Will.; 2 Anne, c. vi. s. 16; 1 Geo. II., c. 20. Scully's *Penal Laws*, p. 65. M. Gustave de Beaumont, 109, &c.

§ 2 Anne, c. vi. s. 6.

|| 2 Anne, c. vi. s. 6; 8 Anne, c. iii.

¶ Plowden, i. 204.

\*\* 18 Anne, s. 37.

†† 7 Will. III., c. v. ss. 10, 11, 36.

“Anglicæ, vos, a præsentia numina gentis,  
Libertas, atque alma Themis. . . . .”

Lord Chatham would have hesitated, we imagine, to prefix these two verses as a motto to the “Collection of Penal Laws;” and, certainly, the scorching words of Turgot would be better suited to the subject:—

“The tyranny of one people over another is the most intolerable of all, and the most hopeless for the victim : because the despot is either stayed by the consideration of his own interest, or restrained by remorse or public opinion ; whereas a multitude makes no calculation ; it has no remorse, and decrees itself glory when ignominy is its desert.”

## X.

The most shameful circumstance in the system of oppression carried on by England towards Ireland is, that its rigour never abated except in times of peril, when she was scared by the prospect of Ireland's joining her enemies. Thus, when the Pretender landed in Scotland, and his first successes had revived the hopes of the Jacobites, the Catholics of Ireland were allowed to open their chapels on St. Patrick's day, and the imprisoned priests were set at large. Nine days after the battle of Culloden, however, Lord Chesterfield, whose administration in Ireland had been characterised by mildness and equity, was recalled.\*

During the seven years' war, the government fears a French invasion. Catholics, still called in the official language the “*common enemy*,” are called by the speaker of the House of Commons, “*a respectable body*.”

In 1776 the American insurrection breaks out; it becomes the starting-point of numerous and important concessions to the people of Ireland. Her oppressors felt that, to perpetuate the existing régime without any mitigation of its severity, would be to endanger their power: fanatical hatred dictated it; prudent egotism modified it. Ireland began to undersand that to obtain justice from England one must be feared by her, and that the only language which convinces her is not that of right, but of might.

Appalled by the dangers which encompassed her, England, then at war with France, North America, and Spain, withdrew her troops from Ireland. A great national military movement followed the recall of the English regiments. The United Volunteers' Association put Ireland in possession of an army

\* Plowden, ii.

of sixty thousand men; and after numerous meetings held in the country, an address (1782), presented to the king upon the motion of the renowned Grattan, obtained the repeal of the Poyning's law, which, from the time of the first Tudor, had subjected the legislative powers of the Irish parliament to that of London.

The impetus once given to the national movement, it went farther still. An association, under the title of the "United Irishmen," formed in 1792, opened its ranks to Catholics and Protestants indiscriminately, and demanded equality of political rights for all. This was a counter-blow of the French Revolution; and if the Constituent Assembly of '89 had more than once adopted the ideas and example of the American Republicans, the Irish patriots in their turn took them for their models and guides, in the path of equality and justice, to which their country was almost a stranger.

These were alarming symptoms for England: a rupture might at any time take place; she had lost the American colonies, because her stiffness and haughtiness prevented her from abating her unjust pretensions. After the stern lesson of 1776 and 1783, however, in default of justice, egotism prevailed. The statesmen of Great Britain flung a few concessions to the Irish Revolution, hoping to satisfy and calm it. The bar, hitherto inaccessible to Catholics, was thrown open to them by a law of the 14th June, 1792. The prohibition of mixed marriages was withdrawn. Catholic parents recovered the right of educating their children as they pleased. Catholics were allowed to sit on juries, and the right of voting in the elections, if not that of being elected, was granted to them.\*

Tardy and incomplete concessions, however, are usually as powerless to disarm an incipient revolution, as they are to prop up a crumbling power. The "United Irishmen" were not, like the "United Volunteers," satisfied with the legislative independence of the Irish parliament. They aimed at absolute separation, distinct nationality, complete independence; and as in the great challenge which the France of '93 had thrown down to the old powers of Europe, she had boldly called upon all nations to strike for liberty, the United Irishmen asked for and obtained her aid for the purpose of tearing Ireland away from the grasp of England.

Even to-day this question of a French invasion, as a means of securing the independence of Ireland, is warmly debated by the members of the Irish national party.†

\* Relief Bill, Jan. 1793.

† See in the papers of January and February, 1861, the discussion between Mr. John Martin and Mr. Smith O'Brien.

In 1796, the secret Directory of Dublin hesitated not to appeal to the Directory of Paris. The celebrated Theobald Wolfe Tone was deputed to stipulate concerning the conditions of this armed assistance; and on the 14th of December, 1796, a fleet with 15,000 men, commanded by General Hoche, made for Bantry Bay. A violent storm scattered the vessels composing the expedition, which had no result but that of warning the English government. Without loss of time, it ordered a general disarming; and this measure was executed with such brutality, often with such cruelty, that, instead of rendering an insurrection impossible, it only hastened its outbreak.\*

The chief theatre of the insurrection of 1798 were the south-east counties.

A skirmish with the English on the far-famed hill of Tara, a fruitless attempt upon Dublin, and two other defeats, one near Wicklow, the other at Vinegar Hill, near Wexford, soon annihilated the rebel army. The Presbyterians of Ulster, who had risen in their turn, were not more successful; and when the French general, Humbert, disembarked in Killala bay (co. Mayo), in August, 1798, he found Ireland prostrate from the disasters which had lately befallen her, and unable to second his bold attempt. Fifteen hundred men, drawn from the armies of Italy and the Rhine, was the whole force at the disposal of the republican general. He pushed, however, unhesitatingly forward into the interior of the country; routed before Castlebar four thousand English, under General Lake, in an action which cost them eight hundred men and ten pieces of cannon, and entered the town. Thence he continued his march across the wilds and bogs of Connaught, towards Dublin. Thirty thousand English, commanded by the viceroy, Lord Cornwallis, in person, intercepted on its march the republican army, reduced to eleven hundred men. Humbert did not shrink from an engagement: the English were thirty to one; but the republicans stood their ground so gallantly, and made such good fighting, that Lord Cornwallis was glad to grant them honorable terms. The French, on laying down their arms, numbered only eight hundred and forty-four men, officers included.

In September, 1798, another naval expedition was sent by the Directory to the Ulster coast. The English admiral, Sir

\* Frequently, under pretext of a search for arms, the inhabitants were put to the torture. Their heads were tarred, and the hair torn out. Some were hanged and cut down half dead; others were flogged till the blood ran, and their wounds covered with salt and pepper. If the peasants of a village, containing not a single gun, did not produce some at the first summons, the soldiers set fire to the houses. They were often, too, made prisoners in their houses, and shot before the doors.—(El. Regnault, *l'Irl.* p. 216.)

John Warren, with a superior force at his command, rendered unavailing the heroic efforts of the French fleet. Theobald Wolfe Tone, holding the rank of adjutant-general in the French service, was made prisoner. Sentenced to death by a court-martial, and sent by the noble impartiality of Lord Kilwarden to stand his trial before the ordinary court, he had not the patience to await the execution of a juridical sentence, and by a blameable weakness, lost the honor of being publicly immolated to the hatred of Ireland's oppressors.

As soon as the British government was relieved from the dread of a national insurrection, and foreign invasion was no longer to be feared,—when from one extremity of Ireland to the other force had triumphed,—the cruelty of her vengeance was in proportion to the danger which had threatened her domination. The tale of this bloody retaliation must be read in Gordon;—a retaliation in which the work of the soldiery paled before that of the executioner, and in which the worst passions were let loose, coldly and cunningly, upon the scattered remnants of the national party.

The appetite for hanging and mutilation of the lifeless victims palled at last.\* In order, however, to strike a decisive blow, and to turn to account the stupor and prostration of unfortunate Ireland, consequent upon her disasters, it was resolved to strip her of the last vestige of political liberty and national independence. The suppression of the Dublin Parliament was decided upon.

In vain twenty-one out of the thirty-two counties of Ireland protested against this suppression: in vain the Irish Parliament itself opposed a formal vote to the ministerial project.† Pitt and Lord Castlereagh triumphed over this opposition, not by force but by corruption: gold achieved the conquest begun by steel. To the eternal shame of both buyers and bought, we know the exact figures of the bargain,—made in 1800,—between the English minister and the wretches who, in defiance of all the laws of justice and honour, bartered away the independence and dignity of their country.‡

Thus was effected, after an uninterrupted struggle of six hundred and thirty-one years (1169—1800) the *union* of England and Ireland. To appreciate the value of such a compact, we have only to bear in mind the long series of events which paved the way for it, the circumstances in the midst of which it was made, the ceaselessly-renewed protestations which

\* Gordon, ii., 384, 391, 399, 419, 466.

† See in appendix No. I. an historical sketch of the vicissitudes of the Irish Parliament, from the invasion of Henry II. until the "Union Act."

‡ Grattan's speeches, iv., 37. M. Gust. de Beaumont, i., 197, 198.

followed it; and then, applying the ordinary rules of law in the matter of contracts to this case, we ask: If the employment of violence and fraud nullify human contracts; if, according to the maxims which prevail among civilized nations, contracts are worthless unless made in all freedom by the contracting parties, what is to be thought of the "act" which united Ireland to England, of which we may say, in all the truthfulness of historical language, that its preamble was dictated by force, that corruption payed for the adoption of its clauses, and that the signatures attached to it were a disgraceful avowal of cowardice.\*

## XI.

The misfortunes of Ireland had only been aggravated by her appeal to arms. Catholic as she almost exclusively is, she was represented in the Imperial Parliament solely by Protestants; and although the infamous code of penal laws had disappeared before the dreaded influences of the American and French revolutions, yet political and civil inequality, religious oppression, and social misery, the inevitable results of seven centuries of tyranny, still held their ground, and whilst perpetuating in the nineteenth century the evil traditions of by-gone ages, wrought for England difficulties which she has not yet completely mastered.

From the period of the suppression of the Dublin Parlia-

\* This application of the rules of civil and ecclesiastical law to the "Union Act" between Ireland and England is not devoid of interest. "Ad contractus valorem requiritur ut consensus sit: 1. internus et verus; 2. liber ac plene deliberatus; 3. externis manifestatus; 4. mutuus. . . ." "Consensui in contractibus adversantur omnis metus, error, et insuper omnis calliditas, fallacia, machinatio ac circumveniendum, fallendum, decipiendum alterum adhibitæ." (*Digest, passim. Scavini De Contract., Tract. VI., Disp. 2, Diss. 2, cap. i., art. 3.*) "Decernit sancta Synodus inter raptorem et raptam quamdiu ipsa in potestate raptoris manserit, nullum posse consistere matrimonium. Quod si rapta a raptore separata, et in loco tuto et libero constituta, illum in virum habere consenserit, eam raptor in uxorem habeat. Et nihilo minus raptor ipse, ac omnes illi consilium auxilium et favorem prebentes, sint ipso jure excommunicati ac perpetuo infames." (Conc. Trid. Sess. XXIV. *De Reform. Matrim. c. vi.*)

The subscribers to the *National Petition*, presented to Queen Victoria in 1861, claimed, at the hands of Government, nothing but the use of Ireland's right to pronounce freely,—by universal suffrage,—upon the value of the contract of 1800. If Ireland voted for the 'Union,' what is to-day nothing more than a '*fait accompli*' should be recognised as valid. If, as in 1800, twenty-one out of thirty-two counties pronounced in favour of its repeal,—that is to say, two-thirds of the nation—there would be no reason why Lord Palmerston and his colleagues should not apply to Ireland the doctrines they so loudly applauded, and energetically encouraged in Italy. We must not, however, forget the old axiom of the law of the 'Twelve Tables.' Here again, although unseen, it intervenes between the conscience of the governors and the governed. "Adversus hostem æterna auctoritas."



ment in 1800, two questions have eclipsed and indeed summed up all others for Ireland:—the Emancipation of Catholics, and the Repeal of the Union.

In 1760, a committee was formed and attempted, by means of petitions to Parliament and the Crown, to direct the attention of government to the insulting position taken up by the Protestants toward Irish Catholics. Reorganized successively in 1790, 1809, and 1813, this committee became in O'Connell and Shiel's hands in 1823, the celebrated "Catholic Association."

The history of this Association, and its general influence upon Ireland, would alone fill a volume. It was the life of the people, crushed as they were during the first quarter of this century; and thanks to the wisdom, which, in its acts, always seconded its power, it obtained, in 1829, one of the most signal successes which can crown man's efforts in this world. O'Connell's election for the county Clare, greeted with universal enthusiasm by the Irish people, might have been annulled. To open to him the doors of the palace of Westminster was simply to strike the deadliest blow at Protestant supremacy that had been dealt since the laws of Elizabeth and the triumphs of the orange party; whereas to close them upon him was, perhaps, to run the risk of a bloody and protracted struggle. Europe was looking on; and to outdo the fanaticism and tyranny of the Turk, two years after contributing to his defeat and humiliation at the battle of Navarino, would simply make England the by-word of Europe. The Wellington ministry sacrificed to necessity what justice had been powerless to obtain. The bill of Emancipation, passed on the 13th April, 1829, was submitted to the royal sanction, and George IV. signed an act of reparation and justice, with a shudder; for he was breaking with all the traditions of English policy in Ireland.

## XII.

This concession was either too great or too small. It did not solve all the difficulties which this disputed and ever-precarious conquest had made for England. Doubtless it was a great deal that the member for the county Clare should be able to sit in the British Parliament, and be allowed to animate, by his impassioned eloquence, the debates of the Commons; but there was one question the discussion of which was never tolerated, and which was taken as a kind of constitutional postulate, a state axiom, the liberty to examine which was not acknowledged; this question was that of the existence,

organization, and revenues of the official Church in Ireland. Useless to, or hostile towards, seven-eighths of the population, it acted as a granite rampart, behind which cowered a thousand other revolting abuses, which ages of oppression and intolerance seemed to have ingrafted upon the political and social body in Ireland.

It soon became clear, and impartial Protestants saw and understood it, that after the Emancipation Act a great deal remained to be done. The sincerity of the promoters of the bill of 1829, had driven them to admissions of a very instructive character.\*

There was no counting on the *motu proprio* of the British cabinet. The impulse moreover once given, the people under the guidance of their talented chief, had learned the difficult art of fighting, with legality for their sole weapon—of combining irresistible ardour with the restraint of discipline—and of curbing those great passions which are so seldom governable in the multitude. Emboldened by his first success, O'Connell aimed at another: the question of the Repeal of the Union was broached; and during fifteen years, Ireland hung upon the breath of a single man.

### XIII.

The first few years subsequent to the Emancipation Act had been signalized by a number of acts of redress, emanating from the Whig Cabinet, which it is the duty of impartial justice to state.

In 1833, for instance, church rates, an unjust tax, levied by Protestants upon the Catholics of all parishes, for the maintenance of the Establishment, were abolished.

In 1838, on account of the disorders and quarrels to which the tithe-gathering had given rise, that tax was reduced by a fourth, and levied upon the landlords, who, of course, immediately increased the rents of their tenants in proportion.

Other modifications, to which we shall return later, were introduced into the organization of corporations, of the magistrature, and the administration of justice. They evidenced a sincere desire in their authors to redress the old standing grievances, and to lighten as far as possible the burthen of the Union for Ireland.

This burthen did not, however, weigh any the less heavily upon the nation. Was it not the *resumé*, and the sanction, of seven hundred years of war, plunder, and oppression? Be-

\* We shall return to these admissions later.

sides, arguments arising out of recent facts, to which the nation could not be indifferent, were in opposition with it.

When the Act of 1800 was passed, the national debt of Ireland amounted to twenty-eight millions sterling, that of England being at the same time four hundred and fifty millions. It is evident from the difference in these two amounts, that taxation in Ireland could not be upon the same scale as in England. A special scale of taxation was, therefore, made out for Ireland, and formed an article in the Union Act. As, however, it was beyond Ireland's means, the Exchequer of London lent her a sum, the result of which was, that in fifteen years the debt of Ireland amounted to one hundred and twelve, instead of twenty-eight millions sterling, while England's debt had scarcely doubled. Ireland, it is evident, paid more than her share in that terrible war with France,—repugnant to her dearest memories and her liveliest sympathy. This prodigious increase of the Irish debt was simple bankruptcy. Advantage was taken of it to *unite* the two exchequers,—to destroy the proportional difference of taxation between the two countries—and to saddle upon Ireland the financial engagements into which England had entered during the seventeenth and eighteenth centuries, more than once to cover the expense of ravaging and crushing her.

Another fact put in its clearest light the result to the vanquished country of her pretended legislative equality with the victorious one. When the question of levying the Income-tax in Ireland was brought forward, of her hundred and five representatives seventy-two voted against the measure, thirty-one only voted in favour of it, and two did not vote at all. In this case, as in so many others, the proofs of which may be found in Hansard's immense collection,\* a majority of English and Scotch Protestants forced upon Ireland a measure, which she had rejected by her representatives.

These, and other grievances,—not to speak of the astounding perseverance with which, in the midst of her misfortunes, during ages of oppression and slavery, Ireland had devoutly cherished the memory of her existence as a nation,—gave an immediate and immense popularity to the Association for the Repeal of the Union.

The year 1843 witnessed the fullest grandeur of this patriotic and formidable Association, and of those meetings at Donnybrook, Tuam, and Baltinglass, where more than a hundred thousand manly hearts thrilled at the voice of the Liberator, and simply awaited a sign from him to rush

\* Hansard's *Parliamentary Debates*.

into all the hazards of a physical struggle. But this signal the Liberator, faithful to his programme of legal agitation and constitutional resistance, did not give; confident in the justice of the cause, discarding an appeal to force, and hoping that once again, under his auspices, right would triumph single-handed. Accordingly, when the snare of the 8th of October had, by the perfidy of the ministry, nearly driven Ireland into the struggle, which the agitators had hitherto avoided, O'Connell did not hesitate to disperse the seven or eight hundred thousand repealers, who had assembled from all parts on the plain of Clontarf.

A few days afterwards, O'Connell and several other chiefs of the Association were indicted; and their trial gave an immense currency in the whole of Europe to the grievances of Ireland. It is just to add that the verdict of guilty brought in against them was set aside by the House of Lords; and that the scandalous means\* by which this verdict had been obtained were eloquently stigmatized in the House of Commons by Lord John Russell and Lord Macaulay, at that time members of the Opposition.

#### XIV.

During the following years (1845, '46, '47) nameless calamities befell Ireland, which caused England extraordinary embarrassment, and entailed upon her a fearful responsibility. The potato disease made its first appearance in the autumn of 1845; a disease which troubled the whole of Europe, but which in Ireland destroyed the only food of the agricultural population, and at one stroke reduced six millions of men to all the agonies of famine.† By means of private subscriptions, however, the first months of 1846 were passed, if not without great suffering at least without any extreme disaster. The summer of that year, unlike that of the preceding one, was dry and hot. The potatoes looked in excellent condition; when in the space of a single night the fatal disease, like one of the plagues of Egypt, attacked and destroyed the whole crop. Ireland had lost sixteen millions of money in a few hours.‡

Under these frightful circumstances began the year 1847,—ever memorable for the horrors of the Irish famine, and for miseries such as are supposed to have died out with the barbarous ages. Very soon the workhouses found it impossible

\* "Packed Jury." This is an essential part of the English constitution in Ireland. We shall return to it in a future place.

† The population of Ireland exceeded at that time eight millions.

‡ Speech of the Marquis of Lansdowne. *Times*, of January 16, 1847.

to give shelter and food to the thousands of unfortunate beings in distress; and then it was that in all parts, but more particularly in the mountainous districts of Munster and Connaught, scenes of desolation were witnessed, before which, said Lord Brougham, the frightful descriptions of Thucydides paled, and the terrible 33rd Canto of Dante, where Ugalino and his sons are represented in the Tower of Hunger, faded away. Famine and emigration thinned the population of Ireland of two millions in ten years; and to-day even, twelve years after this awful visitation, it is impossible to traverse the southern and western districts without coming at every step upon what are justly termed the "stigmata" of the famine.

Although very much shaken by the trial of the Liberator, the Repeal Association had held up; but from that time it declined very rapidly in influence. On the one hand the starving people, who barely sufficed to bury their dead, had no time to give to meetings; and a question more solemn and engrossing than the most national questions themselves pressed upon Ireland during these fatal years. That question was one of life or death: *to be or not to be*. On the other, when the country began to recover from this immense disaster, and to right herself, like a dismantled ship, after the fury of the tempest is past, and the ocean is again calm, division began to show itself in the camp of the Repealers. O'Connell was reproached with the sterility of his legal agitation, with which England had sported for fifteen years. He was reminded that England had never been known from time immemorial to yield to justice, but to force alone. It was "Young Ireland" that gave utterance to these complaints, that after the death of O'Connell, succeeding to the thorny inheritance of his mission of agitation, entered resolutely on a path which the Liberator had not trodden, and into which the country was not destined to follow it.

In 1848, this party, headed by men of undoubted talent, thought the moment at hand to put the finishing stroke to the unachieved work of O'Connell. It was the time when the mighty breath of a new revolution was overturning thrones. England was far from being unconcerned in these continental catastrophes; she was secretly rejoicing at events, in the accomplishment of which she had invested something more than sympathy and encouragement, when she found herself in presence, in Ireland, of some of those difficulties which she delighted to create for the sovereign of Naples, and the Pontiff-king of Rome.

She saw and measured the extent of the danger, and by skilful precaution, as well as by energetic action, triumphed

over this, the greatest peril which had threatened her since the "Union." By suspending the working of the constitution, and of the Habeas-corpus Act, increasing the rigour of coercion-bills, making simple press crimes "treason-felony," and striking a decisive blow on the first appearance of a rising, she paralyzed the bold but premature attempt of Mr. Smith O'Brien, in the summer of 1848. The chief leaders of the movement were immediately condemned and transported. This check completely worsted the national party; and, after this short interruption, England was again able to take up the thread of her designs upon the continent, and to prepare at no distant period for the other sovereigns of the continent the difficulties through which she had passed unscathed.

Accustomed as we are, on the continent, to associate with the idea of such movements the working out of revolutionary and socialist designs, we should be disposed to imagine that the movement of 1848 in Ireland bore the same character of our own troubles: this would, however, be a great mistake; the foiled attempt of Mr. Smith O'Brien, in the county Tipperary, aimed solely at the same result as the old revolts of the O'Neills and the Fitzgeralds;—that is to say, the ruin of the English domination in Ireland, and the political independence of the country by her reinstatement in her autonomy and nationality.

## XV.

From that time Ireland has scarcely had any other pre-occupation than that of healing the deep wounds inflicted by the famine. She has been more occupied with providing for her mere existence than in political agitation. For her part, England, glad to have escaped the dangers of 1848, and engaged in those distant Crimean and Indian struggles, where the aid of her Irish soldiers was absolutely indispensable, seems to have adopted with regard to Ireland a more moderate, wiser, and consequently more skilful policy. The national party has been divided by artful concessions, and as its only strength was in union, these divisions have completely neutralized its influence as a representative body in the British Parliament. The ministry scarcely troubles itself about the feeble attempts at opposition which still show themselves; people are pleased to attribute them to an old and incurable spirit of hostility towards England; and accustomed as they are to hear the complaints of the Irish members, little attention is bestowed upon them.

What is the present condition of Ireland? What traces of

British confiscation and oppression are still visible in that unfortunate country? Are the complaints of the national press founded? Ought they to awake in the conscience of a foreigner, an impartial observer, and in the conscience of Europe, the same echo which they undoubtedly do in the great mass of the Irish people? Are the concessions made by England since 1829 a sufficient reparation for her past policy? What still prevents the mutual embrace of justice and peace in that island covered with ruins and reeking with blood? In a word, what is the Ireland of to-day? To answer these questions, the present long and difficult inquiry, of which this book is the summary, was undertaken.

The reader will soon be convinced that nothing has been spared to render it as complete, and above all as impartial, as possible. The information obtained from others, however extensive, was not deemed sufficient. After having prepared and printed a long list of questions, touching all the points we had begun to examine, we went to Ireland to look for the answers to these questions, checking one set of evidence by others, and all by a personal and most attentive examination of the state of the country, the working of the institutions, and the minutest details of social life. This book, already three parts written before our journey, has been recast, written over again, modified when necessary, but principally enlarged and developed by the numerous and important documents which we brought back with us to France.

We may say that it has been written twice; and we have consented to hand it over to publicity only after having submitted it to the searching examination of men the most competent and best able to point out its defects, to expose its inaccuracies, and to fill up any gaps or omissions that might have escaped us.

Notwithstanding all these precautions, this book will clash with so many prejudices, and will inevitably run counter to so many powerful passions, that its author will incur more ill-will for having told the truth than he will meet with thanks for the moderation and charity with which he has endeavoured to expose it. What merit, however, would there be in devoting oneself to great causes, if one were to gain by it only the applause and esteem of men. The important, or more truly, the only thing necessary is, in this, as in everything else, to do one's duty, and according to the expression of God to the Prophet, "to free one's soul."\* The rest depends not upon us.

\* *Ezekiel*, iii. 19.





## BOOK THE FIRST.

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# POLITICAL EQUALITY.

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### CHAPTER I.

#### TRUE SPIRIT OF THE EMANCIPATION BILL.

THE grievances of Ireland are certainly not, thank God, what they were twenty years ago: happy reforms have been introduced into the administration; praiseworthy concessions have been made; and to say that there has been no change for the better, since M. de Beaumont wrote his excellent book, would be a manifest exaggeration.

On the other hand is it not quite as palpable an exaggeration, the motives of which are less disinterested, and the consequences graver, to maintain, as many of the London papers have so often done, that oppression has totally disappeared in Ireland; that there remains but one abuse in the country, that of the Established Church; that in the matter of taxes Ireland is a privileged land; that as far as regards government, perfect equality exists between Englishmen and Irishmen, Catholic and Protestant; finally, that if Ireland would lay aside her rancour, and completely forget the past for the bright prospects of the future, she might, on this single and easy condition, be as happy as she is free, and crown thereby the work of her salvation? What, then, is to be thought of her civil and political equality with England, and of her financial privileges? Is it true that the Irish do not bear the same burthens, and have not the same share of government emoluments, as M. Leon Faucher affirmed more than twenty years after the Emancipation Bill?\* Are they justified in complaining, as the same author assures us, that, forced into a union with England, they were not admitted to that union

\* *Etudes sur l'Angleterre*, vol. ii. p. 193.

on terms of perfect equality. Are these empty and unjust reproaches, or are they, on the contrary, well-grounded accusations, and are we to admit, however much to the dissatisfaction of the apologists of English policy, that that policy is not yet free from the prejudices of blood and creed, and that it does not handle the Catholic Celt of Connacht according to the same rules as it does the Protestant Saxon of Middlesex or Yorkshire?

In order to answer these questions, we shall have to return to the Emancipation Bill, and see exactly how far that measure put an end to the revolting disparity existing between Catholics and Protestants for three centuries.

The intentions of the statesmen whose names figure on this memorable bill, will throw great light on the spirit in which that law is now executed.\*

It is beyond doubt that this concession was not made because of its justice, but simply, as the Duke of Wellington formally declared, "to avert civil war." It would have been a pleasing task to attribute the honour of this measure to the equity and chivalrous moral sense of that Sir Robert Peel, of whom the English are so justly proud; but it is a glory which the impartiality of history cannot decree him; and the recent publication of the memoirs of that great man put us in possession of some curious revelations on this subject.† The Protestant bishop of Limerick, Dr. Jebb, remonstrated with him on the danger of making concessions to Catholics. What was the answer of Sir Robert Peel? That the time had come to bid adieu to the prejudices of another age? that it was impossible any longer to perpetuate the ignominy of a rule which made seven millions of English subjects outcasts from political and civil society? that it was unjust to cling to the oppressive intolerance of a penal code, which orange passions imposed upon the eighteenth century? By no means; and we must admit that this time logic and close reasoning were on the side of the old bishop, and of his inflexible intolerance. "No concessions to Catholics!" he exclaims; "better an irreconcilable war." "Infinitely more difficulties and dangers will attach to concession than to uncompromising resistance . . .

\* During the session of 1861, Lord Palmerston—nowise considered a zealot—was able to declare in the British Parliament, without exciting any very great outcry, that the functions of keeper of records were incompatible with the profession of the Catholic religion. (Reply of Lord Palmerston to Lord Normanby in the Turnbull Case, quoted by Count Montalembert in his Second Letter to Count Cavour, pp. 16, 17.)

† *Memoirs of the Right Hon. Sir Robert Peel, Bart., M.P.*, published by the trustees of his papers, Lord Mahon, now Earl Stanhope, and the Right Hon. Edward Cardwell, M.P. London: John Murray, 1856.

In defence of all that is dear to British Protestants, I am cheerfully prepared, if necessary, as others of my order have formerly done, to lay down life itself.\* “Doubtless,” replied Sir Robert Peel, “it is easy to blame the concessions that were then made (in 1782 and 1793); but they were not made without an intimate conviction of their absolute necessity, in order to prevent greater dangers . . .” “I can with truth affirm, that in advising and promoting the measures of 1829, I was swayed by no fear, except the fear of public calamity.”†

Notwithstanding this political necessity, which the Duke of Wellington formally recognised, together with Sir Robert Peel, George IV. yielded only at the last extremity, and because he had been unable to form a ministry courageous enough to maintain Protestant supremacy in presence of existing difficulties.‡

It is even said, that in the excess of his grief and indignation, George was about to crush his pen before signing the act of the 13th April.

Nothing is, then, more certain, than that neither the king nor his ministers looked upon what they were doing as an act of justice and of reparation in favour of Catholics: the bill of 1829, was simply a concession extorted by the force of circumstances, which the king would never have signed had he found ministers of sufficient determination to maintain an iniquity of three centuries even at the risk of a civil war, and which the ministers would never have proposed had not that very civil war threatened the existence of the Establishment itself.

Now, when a concession is extorted by force, and is not a spontaneous homage to truth and justice, those to whom its working is confided may respect the letter, but they will never honestly enter into its spirit. To see them at their work, it would seem as though they would keep back with one hand what they grant with the other; and that immediately the afflicting necessity, to which they have been obliged to bend, becomes less urgent, they only keep as much of their word as will screen them from the charge of perjury. Hence, the little thanks returned for such concessions; indeed, we see no very grave obligation to gratitude that can bind the man

\* Letter of the Bp. of Limerick to Sir R. Peel; 11th Feb., 1829.

† Letter of Sir R. Peel to the Bp. of Limerick; Feb., 1829. (*Memoirs*, &c.)

‡ At a late hour on the evening of the 4th of March, the king wrote a letter to the Duke of Wellington, informing him that his Majesty anticipated so much difficulty in the attempt to form another administration, that he could not dispense with our services; that he must, therefore, desire us to withdraw our resignation; and that we were at liberty to proceed with the measures of which notice had been given in parliament. (*Memoirs*, &c.)

who owes the little justice and liberty he enjoys to the influence of fear alone.

If we consider, therefore, the avowed motives which determined the passing of the bill of 1829, we see that it was simply a political shift, and not an application of that principle of civil equality, which modern ideas have consecrated, and made part of their moral code.

Hence, it has left after it, in respect to Catholics, an exceptional regime, which, although less exclusive, less absolute and insulting than in past times, is not, on that account, less contrary to the principle of universal equality in the eyes of the law. Vanquished by the pressure of events, Protestant intolerance has only consented to make rigorously-necessary concessions; and even in its defeat, it has managed to uphold the principle of its superiority. It yielded on the matter of fact, but never admitted the claim as a right; and even to-day it is struggling against the growing spirit of liberty and justice for that preeminence to which, during three centuries of exclusive domination, it uncompromisingly clung. These observations are but too fully borne out by the present position of Catholic Ireland.

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## CHAPTER II.

### UNEQUAL DIVISION OF PUBLIC OFFICES BETWEEN PROTESTANTS AND CATHOLICS.

LET us first of all state, that public offices are not so open to all citizens of the United Kingdom without distinction of creed but that the principle of exclusion in regard to Catholics is expressly reserved, in the act of 1829, in the case of the three highest offices in the State; namely, those of the Lord Lieutenant, the Chancellor, and the Vice-Chancellor.

We must certainly do Sir Robert Peel the justice to state that from the beginning of the Catholic agitation he brought to bear on this question, so formidable to the British Government, those rigorously-logical principles from which he thought it necessary to deviate in 1829. It is true that at that time Catholics did not inspire serious apprehensions, and that statesmen did not appreciate the necessity of shifts and concessions. This time Sir Robert Peel energetically condemned the idea of compromise and half measures; and one peruses the speech which he pronounced on this point, in the House of Commons, on the 9th of May, 1817, with very great interest.

The gist of the proposition which he developed is this:—Are Catholics justified in claiming civil and political equality on the same grounds as their Protestant fellow-citizens? If the answer be in the affirmative, this equality must be full and absolute; if in the negative, the present state of things must be maintained; but nothing can be more illogical than to make certain concessions and refuse others, nothing more impolitic; for the inequality which would exist, no longer grounded on a principle, might evidently be stigmatized as arbitrary, or as arising from dishonesty or an insulting partiality.

“Do you mean,” said this great speaker, “to give them that fair proportion of political power to which their numbers, wealth, talents, and education will entitle them? If you do, can you believe that they will or can remain contented within the limits which you assign to them? . . . Do you think that they will view with satisfaction the state of your church or of their own? . . . The exclusion will be ten times more mortifying than their present disqualification. It will be so, because it will be attributed to caprice, to unjust preference, to unfair suspicion. . . .

“But you yourselves retain some of these links, fewer indeed in number, but just as offensive, as a memento of degradation and as a proof that the equality of privilege and the identity of interests are not established. And when you dwell, and with justice, upon the rank, and the station, and the character of Lord Fingal,\* let me ask you how, consistently with your principle, can you close against him for ever the first executive office of his native land, the only one perhaps to which he could aspire? He may represent his sovereign in Jamaica or in Canada; he may exercise in distant colonies all the functions of sovereignty in church and state; but in Ireland he cannot represent him; in Ireland the source from which grace, and mercy, and favour flow is still to continue Protestant, exclusively and for ever.”†

It is forty-four years since that speech was made, and it stands to-day, the unanswerable protest of logic and principle against the restrictions maintained in the Bill of 1829, in the case of Catholics,—a protest all the stronger, inasmuch as it came from the mouth of an adversary; one, however, who was consistent, and feared not to speak out his conclusion: that in the matter of justice and equality either everything or nothing must be wanted; that things must be left untouched if meddling

\* One of the most respected members of the Irish Catholic Aristocracy The family still exists.

† House of Commons, May 9, 1817. Hansard's *Parliamentary Debates*.

with them involve danger to the British constitution; but that if no danger be involved, concession must be full, since it is a right.

Logic and right await, however, in Ireland an hour which has not yet struck.

Sir Robert Peel asked in virtue of what principle the head of one of the oldest and most illustrious Catholic families in Ireland should be excluded from the only office to which his birth and merit would allow him to aspire. What progress has been made on this point? Doubtless an influential Catholic nobleman, an Irishman, to-day holds one of the highest places in the queen's household. Lord Castleross is vice-chamberlain at St. James' Palace. But so long as Lord Castleross remains a Catholic, so long will he be excluded from the lord lieutenancy of Ireland, filled to-day by Lord Carlisle, who in his turn would be constitutionally displaced the day he leaves the Anglican to enter into the Roman Catholic Church.

It is, moreover, important to remark, with Sir Robert Peel, that this exclusion, so prejudicial and wounding to Catholics, is in force in Ireland, and in Ireland alone, doubtless because the Irish people are almost totally Catholic; so that, we may say that civil and political equality, established as far as the question of right goes between Catholic and Protestant in England, Scotland, and the colonies, is in Ireland neither recognised as a right, nor existing as a fact, and that she is lying under a sort of interdict which is perpetuating up to the last quarter of the nineteenth the old Protestant intolerance of the sixteenth century!

Perhaps it will be said that the exceptions in the matter of absolute equality before the law are so few that they are not worth mentioning.

But who is not aware that the office of the Lord Chancellor is such, that it is his duty to decide, without appeal, many state questions, in the solution of which it is difficult to suppose that no religious prejudices will intervene;\* which fact establishes in favour of Protestants as manifest a privilege as it establishes a manifest inequality on the side of Catholics.

Besides, were the only function to which this exclusion applied, that of lord lieutenant, who could mistake the consequences of such an exception. Sir Robert Peel did not,—when he said of it that “the source from which grace, mercy,

\* When, for instance, an orphan is a minor, and his parents have not specified in what religion they wish him to be brought up, it is the Lord Chancellor who, by a decision, makes either a Catholic or a Protestant of him. It is the Lord Chancellor, too, who grants and withdraws at will the commissions of justices of the peace, and by that fact alone, he holds in his hands the entire administration of justice.

and favour flow, is still to continue Protestant exclusively and for ever."

And let it not be said that this is, after all, but a question of one single functionary. It is the question of a functionary on whom nearly all the others depend, by reason of the nature and extent of his powers; so that all share in political influence, comes, as far as principle is concerned, from an authority which constitutionally cannot be other than Protestant.

The lord lieutenant has, in fact, the right of appointing to all those public employments which in England are in the gift of the Queen. He has, too, the supreme right of pardon, of commuting punishment, and of suspending the ordinary course of the law,—circumstances of gravity of which he is the judge, he being accountable to Parliament alone.\*

Who will, for a moment, consent to believe that in the exercise of this almost sovereign power the Protestant viceroy will always continue so rigidly impartial, will always act with such strict and nice integrity, that merit and good services will, without distinction of religious belief, be in his eyes the only titles to favour.

We have reason, however, to point out a considerable difference between Tories and Whigs in this matter.

The former, who are also called Conservatives, are so in this sense, that upon principle, and in spite of the Emancipation Bill, they exclude Catholics generally from all share in government offices, and as far as possible maintain the Protestant ascendancy.†

The Whigs, more liberal in their way, and inclined to make concessions not only from necessity but from a regard for justice, do not systematically exclude Catholics from the public offices, and make it a point of honour to give them a share of the favours at their disposal.

We do not pretend to touch upon the very delicate question of whether this line of conduct is always disinterested, either on the side of the giver and receiver; nor whether the intolerant stiffness of the Tories would not be more advantageous to Ireland, thereby confirmed and united in the strength of Catholic and national feeling, than the skilful advances of the Whigs: what we have to do is to recognize the fact that the latter understand better, and carry out more equitably, the principle consecrated, though imperfectly, by the Emancipation Bill.‡

\* Gust. de Beaumont, i. p. 254. (Sixth edition, in 12mo.)

† "The Protestants of Ireland are not contented with ecclesiastical, they insist also on civil ascendancy. They consider every Catholic appointment to every office as an encroachment on their rights." (*Rambler*, May, 1861.)

\* An illustrious Englishman observed to us lately, whilst talking of the political parties in England:—"The Tories are unmitigated, the Whigs mitigated selfishness."

However, and although for fifteen years the Whigs have been in power, for a much longer time (eleven years at least they have not totally cast aside sectarian prejudice; and, to borrow the very apt comparison of Sir Robert Peel, we are not to wonder that the source of grace and favour being exclusively Protestant, the tide should run, as it were naturally, in a Protestant direction.

Let us take note, that this source is not only Protestant, it is English; and that thus Ireland habitually enjoys the privilege of being governed by men who are not only strangers to her soil, but hostile to her religion.

Official statistics place this fact beyond doubt or discussion; answering the groundless assertions of English publicists, and their disciples in France, by the irrefutable argument of names and figures.

Out of the seventeen viceroys, who have governed Ireland during the first half of this century, we find only one Irishman. It is unnecessary to add that all were Protestants.

Out of twenty-two chief secretaries, four were Irish, eighteen English. All were Protestants. And although this office was not made specially exclusive by the bill of 1829, yet one easily understands why this has been and will continue to be the case, so long as the viceroyalty is not open to Catholics. The chief secretary is, by the very nature of his position, in the closest connexion with the lord lieutenant, to whom he is second in place; and the fact of giving a Catholic chief secretary to a Protestant viceroy would be nothing else than placing in the upper ranks of the Irish administration a cause of perpetual conflict. The same reasons, although less imperative, influence the choice of under-secretaries. Out of ten, four have been Irishmen—only one a Catholic. For the last seven years this post has been filled by an English Protestant.\*

The Irish viceroy has, like the queen of England, a privy council. In this council are chosen the lords justices, who, in the absence of the lord lieutenant, are invested with all his prerogatives. The privy council consists of sixty members, of whom, indeed, forty-five are Irishmen, but nine only Catholics. Of these nine Catholic councillors six are judges, besides the attorney-general, and these are not consulted except on matters of technical legal import.

As a matter of fact, when any business has to be done, the privy council usually consists of the Protestant archbishop

\* Major-General Larcom.



of Dublin, an Englishman; of the lord chancellor, always a Protestant; of the commander-in-chief of the forces, a Protestant and an Englishman; and of one or two other members, who are occasionally invited to the sittings.\*

In other parts of the administration, less closely connected with politics, Whig liberalism has given a larger share to Catholics; but this share is still far from being proportioned to their numbers. In these other branches of the administration, too, a difference, less marked than in the others, but still a profound difference, is evident between equality in right and equality in fact.

Of twenty-one attorneys-general appointed since 1829, eight have been Catholics; of twenty-six solicitors-general, nine have been Catholics, the other seventeen Protestants. Proportionate equality is only beginning to show itself in the four courts of justice; since seven out of twelve of the judges are Catholics.

The rule, general almost without an exception, is, that the principal offices of each class are filled by Protestants, often

\* We answer for the exactness of these facts as well as to those which follow. The better to appreciate all this, we must bear in mind that, according to the last official census, made in 1861, the Catholics in Ireland are six times as numerous as the Protestants of the Established Church (4,490,583 to 678,661). Would it be too much to ask the Whig Government not to contide such high functions, in such a Catholic country, to men notoriously bigoted against all that is dear to and respected by Catholic consciences? Since these lines were penned Mr. Edward Cardwell has been promoted to a more important post in the Palmerston administration. Who has been chosen to replace him? Doubtless one would imagine that no name would be more welcome to Ireland than that of Sir Robert Peel's son. It is not, however, very encouraging for a Catholic country to see her political and religious interests confided to a man who has never spoken in any but terms of the most open contempt of the Sovereign Pontiff, and of the principal institutions of Catholicism, and it is certain that the insolent and provoking tone in which these sentiments are expressed better becomes Exeter Hall meetings than such an illustrious assembly as the British parliament. Apropos of the Reformation which the honorable baronet supposes to be making great way in Italy, he uses such language as this:—"This accounts for the zeal of the Church of Rome to stop the march of the Italian Revolution, which it perceives is every day sapping the foundations of priestcraft and priestly intolerance." "I may be permitted, Sir, to express my hope that, as the system of progress which checks superstition and religious intolerance continues to take still deeper root in the minds and affections of the people, so it will contribute to the promotion of that material development and the future happiness of Italy."—"The present movement for the regeneration of Italy is also a religious movement. The political and religious impulses are acting together. Dull ignorance and the mummeries of superstition are giving way before the broad features of religious toleration. What recent decrees have most excited the admiration and gratitude of the people of Italy? The decrees that have broken up the monastic institutions and nunneries. These institutions are unserviceable to civil society, and can only exist upon its destruction, or upon the want of it."—Hansard's *Parliamentary Debates*, vol. cxli., pp. 1560, 1561.

by Englishmen; whilst the subordinate posts only are open to Irish Catholics.\* We may be allowed to justify these assertions by a hasty review of the different classes of functionaries in Ireland.

The collector of inland revenue is an Englishman and a Protestant; all the chief officers are Protestants.

The general superintendent of the income tax department is an Englishman and a Protestant.

The controller-general of stamps is an Englishman and a Protestant.

Nearly all the leading officers of the coast-guards are Englishmen and Protestants.

The paymaster of the civil services is an Englishman and a Protestant.

The inspector of factories, a department conducted from London, keeps two sub-inspectors in Ireland, both Protestants.

The four government emigration directors are Protestants.†

The loan fund board consists of thirty-eight commissioners, twenty-eight of whom are Protestants.

The commission of charitable bequests consists of thirteen members, seven of whom are Protestants.

The superintendent of agricultural and emigration statistics is a Protestant.

The commander of the forces, and nearly all his staff, are English and Protestant. Very nearly the same may be said of the royal engineers' department, of the officers of recruiting districts, of barrack masters, royal hospitals, prisons and the military school. Seldom in these departments does the name of an Irishman appear in any leading position—hardly ever that of a Catholic. This inequality is all the more scandalous, inasmuch as the greater part of the English army is recruited in Ireland, and as Catholic soldiers are very numerous in it ‡

The administration of public works is confided to three commissioners, all Protestants; one an Englishman, one a Welshman, one an Irishman. The secretary, architects, and comptrollers are Englishmen and Protestants.

\* "The policy of the English people, in the government of the United Kingdom and in the expenditure of a large annual revenue, has been always able, national, and selfish . . . But is it not true that Irishmen as a general rule, are excluded from the cabinet, from the lord lieutenancy, from the governorships of India and of Canada, and from other high offices of influence?"—(*Pastoral Letter of Dr. Keane, Bishop of Cloyne, 7th Feb., 1861.*)

† It is needless to add that the greater part of the emigrants are Irish Catholics.

‡ Since the inauguration of the examination system for commissions, many young Irishmen have passed brilliant examinations, a manifest proof that it is not incapacity which keeps the Irish out of public functions.

The geological survey is directed by an Englishman, and with a trifling exception the whole corps is Protestant.\*

In the police force, the inequality is still more manifest, and the partiality of the Anglo-Protestant system is seen to greater advantage.

In 1814, upon the motion of Sir Robert Peel, at that time chief secretary, the act was passed which provided the first regular police force for Ireland; called, soon afterwards, in recognition of the founder, "Peelers."

From its foundation its four chief officers, inspector-general, deputy-inspector, and assistants, have always been Protestants, frequently Englishmen or Scotchmen. Last year, however, (1859) a third assistant inspector-general, a Catholic, was appointed.

These five officers have command of 12,501 men, scattered over the whole country; each of them is, *ex-officio*, a magistrate for every county, city, and town in Ireland; and the corps of seventy-two stipendiary magistrates is largely controlled by them. They have exclusive power of promotion in this small army. It is interesting to see (from the official Report presented to Parliament, in July, 1860, by Sir Henry Brownrigg, inspector-general, and commander-in-chief of the Police Force) the proportions in which the distribution of the superior ranks, therefore the best paid, has been made between the Catholics and Protestants. The following statistical table is extracted from the Report:—

RANK.	Protestants.	Catholics.	SALARIES TO	
			Protestants	Catholics.
			£	£
Inspector-General, . . .	1		2000	—
Deputy Inspectors-General, . .	1		1,200	—
Assistant Inspectors-General, . .	2	1	1,600	800
County Inspectors, . . .	32	8	13,440	1,260
Sub-Inspectors, . . .	204	65	36,720	11,700
Head Constables, . . .	181	151	14,100	11,325
Total,	428	220		
LOWER GRADES.				
Constables, . . .	780	1,078	34,320	47,432
Acting Constables, . . .	126	255	4,458	8,415
Sub-Constables, . . .	2,659	6,955	74,452	194,740
	3,565	8,288	£182,290	£275,672

Since the time when the force was remodelled, (during Lord

\* *Nation* of September 29, and October 6th, 1860. For details see Thom's *Official Almanac*, 1860, 1861, *passim*.

Normanby's administration in 1836), out of a force numbering 8,508 Catholics only three have been able to reach the position of county inspector, whilst amongst 3,993 Protestants thirty-six have reached that or a still higher grade.

Among the sub-inspectors we find more than three Protestants to one Catholic; among the chief-constables the Protestants are eleven to six.

In the lower grades an inequality of quite a different nature presents itself; and when we come to the simple policemen we see that the Catholics are three to one.

The central administration of the Poor Law Board shows, more clearly than even the constabulary, a strange forgetfulness of the rights of Catholics, and of deference to public opinion. We shall show, later on, that wealth and poverty divide Ireland into two clearly-defined classes. There are very few Protestants who are not rich, or at least in easy circumstances; whilst the large majority of Catholics are in a state of misery, rather than of ordinary poverty.

The mass of the poor relieved by the workhouses are Catholic and Irish. Let us give a glance at those by whom the higher posts of the administration are filled, those who have daily to decide the interests, both temporal and spiritual, of these poor.

Five commissioners, three of them salaried, are at the head of the administration. All five are Protestants, and four are English.

The inspectors are 13 in number, 9 of whom are Protestants.

There are four auditors, thirty-six clerks,—divided into four classes—and one solicitor.

Of the auditors one only is Catholic. These seven first-class clerks are all Protestants, and among them are four Englishmen and one Scotchman. Of the ten second-class clerks five are Protestants.

So far we see that it is not Catholics who are privileged: but, as in the constabulary, so here they fill up the lower ranks. Thus among the ten third-class clerks seven, and among the ten fourth-class eight are Catholics. The solicitor is a Protestant.\*

	Protestants.	Catholics.	Protestants.	Catholics.
Commissioners, . .	5	...	£4,400	...
Inspectors, . . .	9	4	7,666	£1,750
Auditors, . . .	3	1	1,500	500
CLERKS. { Chief, . . .	1	...	700	...
1st class, . . .	6	...	3,000	...
2nd „ . . .	5	5	1,250	1,250
3rd „ . . .	3	7	450	1,050
4th „ . . .	2	8	200	800
Solicitor, . . .	1	...	300	...
Total, . . .	35	25	£19,466	£5,300

\* Thom's *Official Directory*, 1861, p. 791.

It is easy to see from this table to whom the lion's share falls.

Out of the thirty-nine highest posts in this administration, twenty-nine are occupied by Protestants, twenty-seven\* of whom have salaries, the total of which amounts to £18,516, which gives an average of £638 each. The ten others are occupied by Catholics, receiving a total salary of £3,450, which gives an average of £319: half the average of that given to Protestants.

In the lower grades, on the contrary, the Catholics are three to one, with an average salary of £123.

Are not Irishmen, however, wrong in complaining of this unequal division of public functions in Ireland, between Protestants and Catholics? From the fact of the *Union* being established between Ireland and England, and of the Act of 1829 having done away with the political disabilities under which the Catholics of the United Kingdom laboured, are we not to presume that if there be numbers of English Protestant functionaries in Ireland, by way of compensation numbers of Irishmen are promoted to the most important posts in the magistracy, in the treasury, and in the civil service in England, Scotland, and in the Colonies? And if so, ought we not to hail joyfully a reciprocity calculated to unite still more closely the two nations, and to justify the title of sisters which they bear in official language?

Doubless, this might be so, although to believe Irishmen they would certainly prefer renouncing their right to functions in England on condition of being judged, governed, and having their affairs managed, by their countrymen and co-religionists at home. This equilibrium does not, however, exist; and we can boldly affirm, that for twenty English Protestants holding the highest and most lucrative posts in Ireland, scarcely a single Irishman can be found enjoying the same privileges in England.†

This partiality,—this spirit of exclusion,—this dogged upholding of inequality arising from difference of creed,—in a word, the whole of this narrow-minded system of government is still standing; its root is deep in the heart of the British Constitution, and it is shielded by the staunchest prejudices from the legitimate progress of our age.

\* For two of the Commissioners (the Chief Secretary and the Under Secretary), are *ex officio* members of the Poor Law Board, and, accordingly, are not salaried.

† “. . . Almost all the chief officers in Ireland are Englishmen, but he should not object to that, if there existed anything like reciprocity . . . It was really something of a national grievance.”—Mr. Scully, *House of Commons*, Aug. 10, 1860.

Between Protestants equality exists, it is true; but between Protestants and Catholics, Englishmen and Irishmen, we repeat it, it does not exist; it is not yet completely sanctioned by the Constitution, and, above all, it is far from being received in theory and put in practice, by the English people.

The Irish Catholic has, doubtless, ceased to be looked upon,—at least by the Christian and enlightened portion of the English community,—as the wild idolater and enemy, who, as late as the eighteenth century, was unscrupulously and pitilessly crushed; but if he is now recognised as a brother, he is not yet completely recognised as a fellow-citizen. There is a barrier separating these two classes, which the rugged and sectarian spirit of the Reformation still jealously maintains.\*

This is a fact which many *soi-disant* liberals will not see, in spite of abundant proof, and of facts of every-day occurrence; whether it be that they consider that to deny justice, when Catholicity is in question, is, after all, not so grave a matter, or that it is important for the interests of liberty in Europe, that England, not only as far as her institutions, but also as far as her policy is concerned, should enjoy a kind of prestige, and be surrounded by a halo, on which it would be sacrilege to lay one's hand. Is not this superstitious respect an outrage upon liberty, and a humiliating insult to England? Would not the cause both of liberty and England be better served by exposing, unsparingly as well as impartially, the abuses which are supposed to be justified by their authority? Have we not a right to be severe upon England, precisely because her institutions are admirable, enviable even by us; because she is "that proud and free nation, that favoured, powerful, skilful, and Christian nation, foremost in all kinds of greatness, whose genius is the glory of the human race?"† Of what advantage is liberty to her, unless it be an instrument of justice, and of progress? When, again, a people is powerful for good, is it not accountable for all the good which it might do, and which it miserably sacrifices to inveterate prejudice, blind hatred, and unjustifiable egotism?

\* See on this point an excellent article in the *Rambler*, May, 1861.

† Sermon of Mgr. Dupanloup, Bishop of Orleans, preached at Saint Roch, 25th March, 1861, in favour of the suffering Irish—pp. 48, 59.

## CHAPTER III.

### UNEQUAL DISTRIBUTION OF PARLIAMENTARY POWER AND ELECTORAL RIGHTS BETWEEN ENGLAND AND IRELAND.

IN virtue of the Act of 1801, which united the two parliaments of Dublin and London, Ireland sends to the imperial parliament thirty-two peers, of whom four are ecclesiastics, and a hundred and five members.

The twenty-eight lay-peers, elected from among, and by the peers of Ireland, enjoy their seat for life, and are replaced on their decease: the ecclesiastical lords enjoy their seats during one session only.\*

To how many objections is this system open, not, perhaps, in point of religious but of political equality? Who could for a moment maintain that the Irish aristocracy enjoys the same privileges as that of England? Every English peer has, on attaining his majority, the right of sitting in the upper house, and of transmitting this right to his eldest son. The Irish peers, as well as those of Scotland, are nothing more than the delegates of the body which elects them. Apropos of this fact, M. Leon Faucher observes, "that in the upper house the peers of the two inferior kingdoms form a sort of lower one, and have nothing more than a borrowed power;" and, again, "that the English people, being the strongest, the best situated, and the best able to have their own way, has taken the lion's share, and treated the Irish like a conquered race."† Numerical disproportion is not the only fact which places the Irish peers in a position of marked inferiority to those of England. They are subject to other restrictions, which close against most of them the political career. The Irish peer upon whom the choice of his equals has not fallen, and who, consequently, has no seat in the house of lords, is in no way compensated; he can neither sit upon a grand jury, vote in elections, nor stand in Ireland for a seat in the house of commons.‡

\* The Irish nobility reckons at the present day one hundred and eighty members, of whom one is of the blood royal, viz., the King of Hanover, Earl of Armagh; one Duke, forty-two Marquises, sixty-seven Earls, forty-two Viscounts, and seventy-two Barons.—Thom's *Official Directory*, 1861, p. 756.

† Leon Faucher, *Etudes sur l'Angleterre*, I., 194.

‡ Speech of Mr. Smith O'Brien, House of Commons, 4th of July, 1843.—Hansard's *Parliamentary Debates*.

One thing only can be said in justification of so marked an inequality between the peerages of England and Ireland; and that is, that the latter consented to it at the time of the Union, and that their children have to thank the venality and corruption of their fathers, which have shorn the Irish nobility of the greatest part of its political influence.

The hundred and five members sent by Ireland into the British Parliament form one-sixth of the total number representing the United Kingdom.

By the electoral law at present in force, occupiers of any tenements rated in the last annual poor-rate at a net annual value of £12 and upwards are entitled to vote in elections for counties; also owners of certain estates of the rated net annual value of £5. In boroughs, occupiers rated in the last poor-rate at £8 and upwards are entitled to vote, subject to certain limitations.\* Up to the year 1829, county members were elected as in England, by all freeholders having an income of forty shillings. This right to vote upon a freehold of forty shillings was done away with at the time of the Emancipation Bill;† and up to the Reform of 1850 the right of voting became a sort of privilege, to which the great mass of the agricultural population were strangers. The number of registered voters on the 1st of February, 1848, was 108,139; on the 1st of January, 1849, it had fallen to 72,216; and in 1850, it amounted only to 35,000. The election reform of 1850 increased these narrow proportions, so that the actual number of voters in Ireland is 191,045.‡

There are considerable differences, proved by statistics, between England and Ireland, in the proportion of inhabitants, of voters, and of members. These figures are derived exclusively from official documents.

In 1860, out of a supposed population of 19,745,000,§ England numbered 942,258 voters, and 496 members,|| from which fact we gather the following proportions:—

One voter to every 21 inhabitants.

One member to every 1,899 voters.

One member to every 39,973 inhabitants.

\* 13 and 14 Vict. cap. lxix. secs. 2 and 5. (Thom's *Offic. Direct.*, 1861, p. 689.)

† This, the primary of all political rights, was taken away from that mass of Catholic husbandmen whom the authorities pretended to emancipate.

‡ See a speech of Lord John Russell, during the session of 1850, when he brought in the Election Reform Bill; and Thom's *Official Directory* for 1861, p. 87.

§ Thom's *Offic. Direct.*, 1861, p. 83, First Table. According to the Census of 1861, just published, the number of the population of England and Wales, is 20,061,725.

|| *Idib.* p. 87, second table.



In the same year, Ireland, out of a supposed population\* of 5,988,820, numbered 191,045 voters, and 105 members.† This gives us :—

One voter to every 31 inhabitants.

One member to every 1,819 electors.

One member to every 57,036 inhabitants.

The disproportion between the population and the number of members would be far greater were it not for the immense drain upon the population by emigration and famine. In fact, the number of members sent to parliament never having varied since the Union, when the population of Ireland amounted to 8,175,124 (in 1841), the proportion of members to the population was one to every 57,036. And if Ireland had not, since that time, lost about 3,072,000 inhabitants,‡ its population at the present day would, at least, amount to 10,000,000, and the number of members remaining the same, would give us one member to every 96,190 inhabitants.

Be this as it may, laying aside all hypothesis, actual figures are the unanswerable refutation of the opinion that equality in this matter exists between England and Ireland, since the former sends one member for every 39,973 inhabitants, whilst the latter sends one for every 57,036,—the former thus enjoying two-fifths more electoral power than the latter.

To recapitulate, Ireland sends to the imperial parliament slightly less than a sixth of the total members, whilst “proportionate equality” would give her the right of having 420,000 electors, and 256 members. “But, then, we must remember,” says the illustrious publicist, “that England would, in that case, speedily lose the supremacy which, from time immemorial, she has exercised over the two other kingdoms.”§

Hence the conviction, so energetically expressed in some of the great meetings held in Ireland, England, Scotland, and America, in 1860, for the Repeal of the Union, that the Irish members can do nothing in the British Parliament,—that the conflicting interests of the two countries put Ireland for ever at the mercy of a majority, which invariably follows English ideas and instincts,—and that every Irish member who con-

\* Thom's *Official Directory*, p. 697, Table VII. The Census of 1861 puts it at a still lower figure, 5,764,543.

† See a speech of Lord John Russell, during the session of 1850, when he brought in the Election Reform Bill; and Thom's *Official Directory* for 1861, p. 87, second table.

‡ “Even after making allowance for the excess of births over deaths, the total loss of population since 1841 may be estimated at 3,072,000” (p. 597). We repeat that Thom's *Directory* possesses the authority of an official document.

§ Leon Faucher, *Etudes sur l'Angleterre*, II., 195.

scientiously supports in the house of commons the rights of his fellow-citizens, is treated with studied indifference and contempt.\*

This is testimony which one would gladly reject, on the ground of partiality, were it not confirmed by a paper which is in Ireland the faithful, not to say servile, echo of English and Protestant antipathies and rancour. It is with good reason, says the *Irish Times*† of July, 1860, that the Irish representatives complain of the way in which Irish business is managed in the House of Commons. It may be said that all the measures affecting Ireland are made up into a single bundle; that they are kept back till near the end of the session; and that they are then introduced to the house,—when the sitting ought to be over—about half-past two o'clock in the morning. The house begins to thin about midnight, unless when some English business of importance is for consideration. But there are always fifty or sixty votes whom the cabinet can command at any hour; and, counting upon them, the ministers only bring in the Irish measures—how important soever they may be—at two or three o'clock in the morning; that is to say, when most of the Irish representatives have gone home, and the few who remain can be easily disposed of by the overwhelming majority of the ministerial members.‡

We have to examine another question bearing upon this comparison between the parliamentary liberties of Ireland and those of England, and a very delicate one it is. It is, whether the social and religious condition of these two countries does not exercise considerable influence in each of them upon the

\* Speeches of the O'Donoghue, M.P., and of Mr. O'Neill Daunt, at the Dublin meeting, 4th December, 1860. We give a fragment of a letter, addressed by the former to the chairman of a meeting, held at Glasgow, on the 9th of the preceding September:—"When an Irish member rises to give expression to the sentiments of patriotism which animate the great mass of our countrymen, he is received with disapprobation; . . . we are mere delegates; we are permitted to state the wants and wishes of our constituents—but whether those wants are to be attended to, or those wishes complied with, depends upon the favour of a number of Englishmen, who look at every question from an English point of view."

† A few days afterwards, the same observation was made in nearly identical terms, in the house of commons, by the member for the Co. Cork, Mr. V. Scully. He said, "that the Irish business was in a most unsatisfactory position, . . . that the government conducted the Irish business by a sort of Bureaucracy; and that Irish members had no influence at all out of the house."—*House of Commons, August 10th, 1860.*

‡ It was by such means as these that, at the end of the session of 1860, a bill, declared by the most impartial and moderate members of the House, to be inopportune or insulting to Ireland, passed at the end of a long night's debate, when there were but few Irish members to withstand Lord Palmerston, who had determined to carry the measure before the House rose. We shall come to this bill later on.—*The Peace Preservation Act.*

right of election; and whether we are not obliged to take it into account, in order to understand exactly in what consists the electoral privilege of the Irish peasant.

In England electors and candidate belong to the same religion and race. Independently of this fact, there exist in that country noble and strong traditions, which render morally impossible the vengeance which a landlord might be disposed to wreak upon tenants who voted either contrary to his wish, if he were not a candidate, or against him, if he stood for a seat. Doubtless, the tenants of a whig landlord might deem it more advisable for their interest not to vote for a neighbouring tory; they might, however, do it without exposing themselves to certain peril, and without gravely compromising their own future prospects and those of their families. We may, therefore, say that there is in England liberty for the voter.

The same is far from being the case in Ireland.

Before the Emancipation Act, the right of voting could scarcely be said to have involved a case of conscience for Catholics. The poor farmer had, undoubtedly, to choose between whigs and tories; but as the choice did not lie between Catholics and Protestants, he could, without failing in an essential duty, listen to the voice of prudence rather than to his political preferences, and nothing obliged him to sacrifice the future of his family by an unfettered exercise of what was, in his mind, much less a political right than an integral part of his ordinary obligations as a tenant.

The question has assumed a somewhat more complicated aspect since 1829. There are cases, by no means rare, in which the most sacred of motives obliges a man to vote against his landlord. The constitution, certainly, secures him this right, but does not guarantee the unshackled use of it; for in presence of the positive right of the tenant to vote for whom he thinks proper, stands a right no less certain, and one that is mercilessly used, namely, that of the landlord to evict, without pity, the elector who obeys his conscience; which means simply to bring upon him irreparable ruin. What becomes of the liberty of election in this conflict? Either it is sacrificed to urgent family considerations, and the too pardonable dread of the workhouse; or it is nobly exercised, but at the price of the fearful vengeance to follow,—of which we have very recent examples.

There is, to our own personal knowledge, an Irish county where, in 1857, the farmers were escorted to the polling-booth by the constabulary. The fact was acknowledged to us by an extensive landed proprietor of that county, himself a member

of Parliament, whose political sympathies are generally in favor of the English government and the whigs.

Two years afterwards, in 1859, the papers of the province of Connacht\* published the sad list of names of tenants hunted off his estate after an election, by a landlord, who in so doing had only availed himself of the legal measure of eviction, so much the fashion in Ireland. This rigour was the more scandalous, and raised the more outcry in the press, inasmuch as the landlord was himself a member of Parliament, and ought to have shown himself more zealous than others of a liberty without which he must have evidently known that his own commission as representative was worthless and null.

The following are the details of an election which took place a few years ago in the county Galway, and which was hotly contested by a government candidate and one of the national party. We have the facts from an eye-witness. The peasants, holding their election cards, and headed by the agents and bailiffs, repaired in troops to the courthouse where the poll was held. A bailiff collected the cards, and each peasant stepped forward in his turn to give his vote. If now and again one farmer, more courageous than his fellows, was bold enough to pronounce the name of the national candidate, the crowd cheered immediately, and the stout-hearted citizen, whom neither the furious looks of police-inspectors nor the hard and threatening clank of their musket-butts on the pavement had intimidated, was carried off in triumph.

An incident of this election contest betrays the tortures of conscience to which one of these unfortunate peasants was a prey. He could speak nothing but Irish, and the oath had to be repeated to him ten times before he could pronounce it properly. This man was evidently undergoing great mental suffering. He looked wildly around, as though he wanted to get away. He would have done anything to escape this fatal vote, for it was against his conscience, but upon it depended the life of his children; he was on the point of yielding, when a friend of the national candidate, a witness of his trouble and of the terrible struggle going on within him, objected to his vote. The other side dared not insist any farther, and his vote was set aside. Who knows what passed afterwards between him and those who had scared him into the vote? And now, what sincere partisan of the British Constitution would wish to see the liberties and rights granted by it exercised in such a manner?†

\* The *Connaught Patriot*, 22nd October, 1859, quoting the *Sligo Champion*.

† See also, in the funeral oration of O'Connell, by Ventura, the sublime trait of that Bridget Prunty who, at the moment when her husband was about to

We may thus sum up the parliamentary privileges of Ireland: Her peerage is degraded; her share in parliamentary representation is neither proportioned to her population, nor based upon the same condition as that of England; the position of the Irish members at Westminster is, for the most part, a mere secondary one,\* and these striking disadvantages will be without remedy so long as liberty in election matters, the basis of the whole system, is incomplete, unprotected, and unguaranteed; or rather so long as it draws down upon the head of any man who looks upon voting as a serious duty, the terrible scourge of eviction, of which the Irish landlord is still the legal and irresponsible dispenser.

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## CHAPTER IV.

### WANT OF IMPARTIALITY IN THE ADMINISTRATION OF JUSTICE.

THE present Minister for Foreign Affairs, Earl Russell, pronounced a short time ago in parliament words which are akin to an axiom in political morality: The great object, said he,† ought to be the establishment of a government where everything bows before justice, where everything tends to make arbitrary rule impossible.

A fine, a noble maxim, doubtless; and one which sounds well in the mouth of a statesman; but such words are formidable for those who utter them—because they are words which give us a right to demand a severe account from the government in whose name they are pronounced.

Let us apply this maxim, then, not only to a certain Italian government—of which Earl Russell perhaps intended his words to be an emphatic condemnation—but to the English rule in Ireland; and who will then dare to say that this government bows only before justice, and that everything is so ordered as to exclude arbitrary rule?

England and Ireland are, doubtless, both under the same institutions, the same customs, and the same administrative machinery, judicial and financial. What is more, there is not a single one of all the civil and political liberties, coveted

sacrifice his duties as a father and his rights as a citizen, buoyed up his sinking courage with these simple and immortal words:—"Remember your soul and liberty."

\* "We are mere delegates." See speech of The O'Donoghue, and the extract from Mr. V. Scully's speech, quoted above, p. 18.

† These words are quoted in an article in the *Correspondent*, Feb. 25th, 1860.

to-day by many great continental nations, of which Ireland is not in full possession; trial by jury, for instance; the independence of judges; the responsibility of all functionaries before judicial authority; the right of association and meeting; individual liberty; liberty of the press; liberty of education. These are certainly precious guarantees; and all the more valuable, inasmuch as they render possible the reform of every abuse, and the accomplishment of every improvement.

We must add that, for the last thirty years, Ireland has largely availed herself of many of these liberties; and that with a few lamentable exceptions, the use of her liberties has been generally respected by England, in whose eyes the exercise of these rights is indispensable to every free people.

Thus the great Association for the Repeal of the Union; the meetings held in 1859 and 1860, in favour of the Sovereign Pontiff; the independence with which the daily press follows up and scourges the abuses of authority, criticises the acts of government, hands over to the severity of public opinion the greatest names in the United Kingdom; the liberty enjoyed by the bishops in treating all questions, whether spiritual or temporal, without having to fear prosecution or the rigours of a superannuated legislation;—all these are so many unequivocal signs of the existence in Ireland of an undoubted political liberty, and of one which, notwithstanding solemn promises, has not yet come to crown the edifice of our own newly-granted institutions in France.

This is precisely what misleads those who do not go deeply into the matter. On the one hand, the maxims which resound in parliament,—on the other, the independent tone of the Irish press,—and the boldness, to us incredible, of the speeches made at popular meetings,—fascinate and dazzle us; and seen in this favourable light, England really seems to be that privileged land in which, as Chatham classically expressed it, *Themis* reigns supreme, and leaves to the nations of the Continent the odium and shame of arbitrary rule.

Let us, however, review these institutions, and that judicial and administrative machinery, which are nearly identical in England and Ireland, by means of which the former nation has reconciled “monarchy with liberty, tradition with progress, and acquired privileges with natural right.”\*

It will not be difficult to show the existence in Ireland on a large scale of that arbitrary rule which Earl Russell solemnly declared to be incompatible with just government.

We can quote upon this point no more decisive authority

\* The Lord Bishop of Orleans' Sermon at St. Roch, p. 54, (1st edition).

than that of Earl Russell himself ; and it is from him consequently that we borrow irrefutable testimony to the fact, when he uttered these words: "Nominally, indeed, the two countries have the same laws. Trial by jury, for instance, exists in both countries ; but is it administered alike in both?"\*

To say that under certain circumstances Irish Catholics are not treated by English law as favourably as foreigners, might appear a calumny in our mouth: we cannot, however, reject upon this point the testimony of Lord Macaulay, who declared the fact in the House of Commons, and was universally cheered for the statement.†

There is room, therefore, left for a searching and critical examination, not of these institutions themselves, but of the manner in which they work in Ireland. This study has already been made in such a masterly, impartial, and disinterested manner, that we might have simply referred the reader to that part of M. Gustave de Beaumont's works, in which these questions are treated, had this administrative machinery not undergone certain modifications since the publication of his book. Since then certain abuses have been put an end to, and it would be unjust not to take them into account; others still exist or have assumed even larger proportions, and we have a right to wonder at, and complain of it; for a quarter of a century in the existence of a nation so powerful and enlightened as the British nation undoubtedly is, is a period of time which when progress and the reign of justice are concerned cannot have been lost with impunity.

Let us, then, return to the judgment passed by M. de Beaumont in 1839 on the public institutions of Ireland, as well to review it as when necessary to modify it; and let us see how far we must apply to those institutions the stern verdict of Earl Russell and Lord Macaulay.

Four supreme courts hold their sittings in Dublin, and centralize the public power of the judicial and administrative order. They are, the Court of Queen's Bench, the Court of Exchequer, the Court of Common Pleas, and the Court of Chancery.

The administrative division of Ireland is that into thirty-two counties (the division into provinces is only, as in France, a memory of the past). The state is represented in them by

\* Lord John Russell's speech in the House of Commons, 13th February, 1844. (see *post* p. 32.)

† "You are ready enough to call the Catholics of Ireland 'aliens' when it suits your purpose; you are ready enough to treat them as aliens when it suits your purpose; but the first privilege, the only advantage of alienage, you practically deny them." (Hear, hear, and loud cheers.) [Lord Macaulay, in the same debate.]

the lord lieutenant of the county, the high sheriff, the deputy-lieutenants, and the magistrates.\*

A grand jury composed, of twenty-three members, nominated by the sheriff, performs in each county the higher judicial functions, and holds administrative power.

As a tribunal, the grand jury acts as the French "*Chambre d'Accusation*," and decides whether such and such a person accused of crime is to be discharged, or sent to the assizes to be tried before a petty jury.

As an administrative body, the grand jury has the power of taxing the county, and carrying out works of public utility. In this sphere of power, however, the grand jury is not completely independent, its orders being valid only after they have been sanctioned by the circuit judge.

The functions of the petty jury are simply judicial. Empaneled for every civil or criminal case, and consisting of twelve members nominated by the sheriff, it pronounces upon all questions of fact submitted to it by the judge, and, as in England, its verdict only stands when unanimous.

The every-day local matters of justice are decided by landlords, holding the title of justices of the peace, by royal commission. These landlord magistrates are both officials of judicial police and judges.†

In virtue of the former capacity, they receive complaints relative to crimes and offences, and make out the charges before the trial of the accused; they either admit, or refuse to admit, the prisoners to bail. They have even a still greater power, namely, that of binding over to the peace any suspected person, although he be charged with no offence; and when he is unable to find surety, they can commit him to prison.‡

In the petty sessions, as judges, they pronounce upon numbers of civil and criminal cases. In the quarter sessions held in the county towns, they have a right to sit and pronounce, in conjunction with the jury, upon all cases not entailing capital punishment.

The justices of the peace are not salaried.

A law, dating from the reign of William IV., associated with these judges certain magistrates appointed by the execu-

\* The lords lieutenants of counties, and the sheriffs, are appointed by the Viceroy; the deputy-lieutenants are appointed also by him, on the recommendation of the lords lieutenants of counties: the magistrates are nominated by the Lord Chancellor.

† They receive their commission from the Lord Chancellor on the representation of the lord lieutenant of the county, himself named by the Viceroy; we thus see the intimate connexion subsisting between those invested with judicial power and the political authorities.

‡ M. de Beaumont, I., p. 26



tive, with the same powers, but obliged to residence, and salaried. These stipendiary magistrates\* number seventy-three.

Let us add that, as in England, except in certain crimes in which the attorney-general prosecutes, the magistrates administer justice only on the formal and spontaneous demand of those entitled to it. Besides this, however, by an arrangement peculiar to Ireland, the justices of the peace, sitting at quarter sessions, have the services of a lawyer sent on the circuit every quarter by government. He is called the Assistant Barrister (now the "Chairman").

Almost immediately after the opening of the sessions the magistrates usually withdraw; and not only the direction of the debates is in the hands of the official lawyer, but it is he who virtually administers justice, although the justices of the peace keep their right of sitting.†

Such is, as nearly as possible, the working of the English system in the chief judicial and administrative institutions of Ireland.

The prevalent system in Ireland, as well as in England, is based nearly exclusively on feudal principles, by virtue of which ownership of land is usually a title to the exercise of power, whether executive, judicial, or administrative.

The result of this is that, independently of the functions which are in the immediate gift of the central government,—and which, precisely on that account, are, as we have seen, more frequently confided to English Protestants than to Irish Catholics,—those who own the soil have a more or less considerable share of public authority.

The application of this principle in England presents in itself nothing inconsistent with a sound and honest administration of justice, since both tenants and landlords, judges and parties pleading, belong to one race and one religion. Among the former the want, where it exists, of special legal knowledge

\* Magistrates appointed under the provisions of the act 6th William IV., c. xiii.—Thom's *Official Directory*, 1861, p. 799.

† It is easy to see that the importance attached, as a matter of fact, to the functions of the assistant barrister prevents the magistrates from taking a steady and serious part in cases which come before the court. A revolution analogous to this took place in France in the thirteenth century. The introduction of lawyers into the parliaments reduced the part taken in affairs by the haughty feudal barons to a very insignificant point; in so much so that, in order to be spared the humiliation of being surpassed in public by a lot of wretched scholars, they avoided the courts of justice. They gave up their raised seats to those who shortly before would have been satisfied with stools placed at their feet.—See *Memoirs de Saint Simon*, chap. cccclxxiii, in which the historian, himself a great lord, testifies to and appreciates this change with a great deal of spleen. (See also unedited documents on the History of France.—*Les Olim*. t. I., Preface by Count Beugnot, p. lxxi.)

is made up for by natural uprightness and great kindliness; among the latter there is a feeling of confidence and of respect; and, this, we imagine, is more than sufficient to secure for the English peasant an impartial verdict. Public opinion, too,—always watchful and severe, and certain to find a dreaded echo in the House of Commons—would never tolerate unjust magistrates, nor allow iniquitous prejudices to warp the regular action of justice.

Consequently, in England the disadvantages inherent to the feudal system are compensated for by unity of race and creed, and by the unquestionable strength of traditions sufficiently respected to secure to the humble and the weak judicial impartiality.

In Ireland the case is very different.

To whom, in fact, does the land belong in that country? We have shown in our historical introduction, how, by a series of spoliations directly affecting the rights of property, the greater part of Ireland was confiscated from the sixteenth up to the eighteenth century, and by what means an *eleventh* only of the soil was left to its ancient lords, the rest being divided between the London usurers, the soldiery of Cromwell, and the creatures of the English sovereigns.

Now, although during the last three-quarters of a century\* and within the last ten years especially,† a certain number of Irish Catholics have bought back with the fruits of their industry the lands formerly possessed by their ancestors, and have thus become landlords; still this does not do away with the general fact, that the masters of Ireland are Protestants of English or Scotch descent,—members of the Established Church or Presbyterians; and that, in virtue of the still-existing feudal principle, these owners of the soil, these landlords, enjoy the greatest share of public power, and an influence which bears directly upon the judicial and administrative institutions of Ireland.

In that country, as in England, most landlords not avowedly hostile to the government are made justices of the peace: and it has been said, with some truth, that a list of the latter is a tolerably correct one of the former.‡

\* It was not until 1778 that an act of George III. granted Catholics the right of holding land for a lease of 999 years. This did not yet restore them their rights of ownership; these were only granted in 1782. (21 and 22 George III., c. xxiv.)

† By means of the permanent establishment of the Landed Estates Court, of which we shall treat at length in another chapter.

‡ We find in Thom's *Official Almanac* for 1861, 3,740 landlords holding commissions of justices of the peace in Ireland. The complete list may be found at pages 1150—1164.

The landlords are, then, judges in the petty and quarter sessions.

They are administrators and jurors, both on the grand and the petty juries.

They have, therefore, in their hands the decision of the greater part of those matters which affect most nearly the daily interest of the mass of the nation. Now, the great mass of the nation is Catholic, and we can affirm that six-sevenths of the landlords, magistrates, and jurors, are Protestants.

With what uprightness, equity, freedom from sectarian passions and party prejudices, must we not suppose him to be gifted, to believe that in the exercise of his double authority he will always bear in mind, that under the constitution granted by the Bill of 1829 Englishmen and Irishmen, Catholic and Protestant, are ideas merged in the one quality of citizens, having the same rights, protected by the same guarantees, and sharing the same liberties? Who can fail to see how illusory this great principle of the equality of all before the law may become, by reflecting that the exercise of those powers which have the most direct influence upon the life of a people are almost exclusively in the hands of the great land owners; and that, with few exceptions, this privileged class is of English origin, that its convictions are Protestant, and its instincts but too frequently anti-national and anti-Catholic. Who would not, from this very fact, feel misgivings as to the amount of abuses and injustice hidden under fictitious and delusive legality? Who does not feel, even before an examination of facts and the sad study of details, in spite of constitutional theories, in spite even of the free and undoubted exercise of considerable rights, that the hateful results of former policy must still be felt at the present day? Who, in fine, can see without some such misgiving the interests of a population of five millions of Catholics dependent upon the decision, often without appeal, of a feudal oligarchy of four thousand Protestant landlords, charged with the administration of justice and the levying of a large portion of the taxes?

We must, however, in justice, state that, since M. Gustave de Beaumont's last journey to Ireland, the administration of justice has undergone a general improvement, to which statement we have heard the most determined enemies of England themselves subscribe.

Thus, it would be no longer true to say, as it was in 1839, that "in every Irish tribunal there are two hostile camps in presence of each other; that it is not a verdict which is being deliberated upon, but a piece of vengeance which is meditated;

and that both judge and jury treat the Irish defendant like a species of idolator, who must be tamed by force—like an enemy whose destruction is a duty,—like a culprit condemned beforehand to death.”\*

Assuredly that this was the case twenty-five years ago, and that a publicist as upright and honest as M. de Beaumont was obliged to stigmatize, whilst exposing them, such abuses and such a shameless triumph of passion and tyranny in the very sanctuary of law, is a grave matter; and one would suppose it to be humiliating to any Englishman truly attached to his country to think that, less than a quarter of a century ago, such was the normal course of justice under the shadow of the British Constitution, and upon the responsibility of British ministers.

Thanks, however, to a remarkable advance in public opinion, this impious profanation of justice and right has ceased to be general. It may, indeed, happen that in a particular case the judge forgets what is due to his personal dignity and to the position of the accused; these cases are, however, rare,—and the press never fails to inflict severe and condign chastisement on those who would revive in courts of justice the dark traditions of a time not long past, when legal solemnity served as a “cloak for vengeance, and under the formalities of law skulked murderous violence.”†

Side by side, however, with progress, which it is a pleasure to acknowledge, are there not many abuses which justice obliges us to stigmatize? Shall we not discover even in the application of the laws and administration of justice the too manifest action of those antipathies of race and creed, whose stubbornness is a formidable obstacle to the sound and conscientious observance of constitutional equality?

In cases of a purely civil character, when private interests are alone at stake, when politics and religion do not intervene, all agree that justice is equitably administered, and that principally by resident stipendiary magistrates. For although these magistrates are not always professional men, and although, generally, government aims in their selection at a powerful political prop rather than at the certainty of good administration,—still, after all, these magistrates are not judges in their own cause, and as it is the interest of the crown to secure them a certain kind of independence in presence of the landlord oligarchy, justice is very generally administered to the satisfaction of all parties.

This is not always the case, however, even in matters

\* M. de Beaumont, I, p. 265.

† M. de Beaumont, I, 265.

foreign to religion and politics, in that very numerous class of cases in which the landlords themselves or their agents in their quality of justices of the peace have to pronounce upon matters, of every-day occurrence, in which the conflicting interests and pretensions of lord and peasant, landowner and tenant, come into play.

Although by the constitution justices of the peace are removeable at the pleasure of government, still, as a rule, they are seldom deprived of their office; and their responsibility is merely nominal, since they can only be summoned before the high courts of justice on the complaint of the injured party, who would have to wade through so many formalities, and generally run the risk of such serious consequences, that, as a fact, the magistrates are virtually left only to their own consciences.

Irremoveable and irresponsible in fact, the magistrates, then, enjoy considerable power in the petty sessions, and their jurisdiction extends even to many matters not properly within the province of justice: for example, they have the right of issuing trade licences; and, according to certain exceptional laws, that of giving or refusing permission to keep arms; and this jurisdiction is of such a nature that it frequently gives rise to a conflict between the impartiality of the judge and the interest of the landlord, in which it is difficult for equity to come off uniformly victorious.

Again, it is the magistrates at petty sessions who administer the game laws, which embody the rigours of feudal times, and of the haughty severity with which the slightest infraction of the seignorial rights were punished. Will the integrity of the magistrate always preserve, between the poacher and the game kept for the lordly pleasure of autumn sport, that strict neutrality without which the administration of justice is so easily made the weapon of a narrow-minded and bitter vengeance?

Nevertheless a substantially good modification has been introduced into the petty sessions. Twenty-five years ago, trials were not public; the administration of justice was a kind of family matter between the judge and those brought before him; the justice of the peace showed the parties into his study, and there (within closed doors) summarily decided upon the amount of fine or imprisonment. Since magistrates have been obliged to administer justice publicly it is an undoubted fact that they undergo a check at the hands of a powerful and dreaded press, and that thereby numerous abuses have disappeared.

As to the rarer, but graver causes, in which religious and

political interests are at stake, it is an unanimous opinion, shared as much by the friends as by the enemies of England, that in them the principle of "equality of all before the law" is generally and outrageously violated.

This point is of the greatest importance, and requires a separate chapter in order to be fully examined.

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## CHAPTER V.

### THE JURY-PACKING SYSTEM.

TRIAL by jury is not an achievement of modern times. As far back as the beginning of the middle ages, it was the one institution which, in times of violence, secured justice, and afforded protection to the weak and oppressed.\*

The vigour of this principle has never flagged in the British Constitution, which,—inclined to mildness rather than to severity, in order effectually to protect the accused against the rigour of the law,—never admits a verdict unless unanimous.

In England, this principle works freely enough: the jury is ordinarily of the same race and creed as the accused: prejudice does not necessarily act either for or against him; hence, every conflict of opposite and fixed conclusions, ends in the triumph of the milder and more humane sentiment.†

In Ireland, too, the unanimity of the jury is essential to the validity of the verdict; therefore, when the accused is a Catholic, and the government wants a verdict of guilty, it must almost necessarily empanel an exclusively Protestant jury; or, if he be a Protestant of the national party, it must empanel either men entirely devoted to English interests, or members of the Orange faction.

But how is this to be done? By what means can the government infallibly get a jury upon whose verdict it can count in any decisive circumstance?

In every Irish county, the task of selecting those qualified to act as jurors, devolves upon the justices of the peace at the quarter sessions. As a general rule, every freeholder is entered in the jurors' book.

\* Upon the origin and development of the jury in England, see the learned work of M. Albert du Boys, formerly magistrate.—(*Hist. du Droit Criminel en Angleterre*, p. 148.)

† M. de Beaumont, I, p. 269.

It is the High-Sheriff of the county—the nominee of the Lord Lieutenant—that selects, before the assizes, a number of names from the jurors' book: this second list is what is properly termed the jury panel.

The prerogatives of the sheriff,—who is, of course, a government partisan, a large landowner, and very frequently a Protestant,—are, in the matter of jury empannelling, briefly these: the power of entering names upon, or excluding them from, this list, a power discretionary and uncontrolled; discretionary and uncontrolled power of placing the names in the order best suited to meet a contemplated eventuality.\*

Out of two or three thousand names, for instance, entered in the jurors' book, the sheriff makes a panel (list) of one hundred and fifty, taking care to head the list by forty or fifty jurors whose opinions are known to him and upon whom the government can count.

Before the trials begin, these names are called over, in the order in which they are entered. The accused has a right to challenge; but he can only challenge twenty of them.

As to the crown, its right of challenging is unlimited; and the magistrate who exercises it in the name of the crown challenges, accordingly, until the final list consists of twelve names on whose possessors government has implicit reliance.

Such is the proceeding known by the name of jury-packing; a proceeding invariably had recourse to whenever government has reason to believe that the desired unanimity would not be found in a jury honestly empannelled.

Of what do the Irish complain? ask the London papers, with mock sincerity. Have they not got trial by jury like ourselves?

Earl Russell shall answer this question, and complete the quotation, of which only the first few words are given above:

\* This power of the sheriff in the composition of juries, is not unusually so exercised as to violate the conditions and qualifications required by law, to entitle a man to be placed on this list. Thus, for instance, on the 27th of November, 1860, in the county and for the single barony of Armagh, the names of twenty persons, unduly inscribed, were cancelled on the demand of two lawyers belonging to the liberal party. These were all Tories; one of them was even supposed to be at the head of an Orange Lodge: not one of them paid the rates which in the eye of the law, qualify a man to appear on this list.

In two other baronies of the same county, (east and west O'Neilland), the activity of the same lawyers brought to light the names of about two hundred unqualified individuals inscribed on the lists. Nearly ninety belonged to the Orange party. It would be well if the investigations—crowned with such complete success in the county Armagh—were vigorously pushed forward in other counties. It would be a rude shock to the system of jury-packing, if the abuses—protected by the shade of record chambers, and the silence of interested parties—were brought to light. I find similar facts, as to another county, stated in the *Tipperary Advocate* for March, 1861.

"It may be said\* that the laws are the same for both countries—that Ireland has nominally the same law as England—that the trial by jury is the same in both countries. Is it so, in fact? That it was not so was perpetual matter of complaint in Ireland, and more than once in England. On one occasion I recollect that an honorable member of this House, who in those days was accustomed to represent with great force and eloquence the grievances of all who were oppressed, whether in Europe or in America, Africa, or Asia, whether the complaints were made by white men or black, I mean Mr. Brougham, brought this complaint under the notice of this House in terms of very great strength and effect, in June, 1823, on presenting a petition complaining of the administration of justice in Ireland. Mr. Brougham then said:

"The law of England esteemed all men equal. It was sufficient to be born within the King's allegiance to be entitled to all the rights the loftiest subject of the land enjoyed. None were disqualified by it; and the only distinction was between natural born subjects and aliens. Such, indeed, was the liberality of our system in times which we call barbarous, but from which, in these enlightened days, it might be well to take a hint, that even if a man were an alien born, he was not deprived of the protection of the law. *In Ireland, however, the law held a directly opposite doctrine.* The sect to which a man belonged—the cast of his religious opinions—the form in which he worshipped his Creator—were the grounds on which the law separated him from his fellows, and inured him to the endurance of a system of the most cruel injustice.'

"Such was the statement of Mr. Brougham, in those days when Mr. Brougham was the advocate of the oppressed. Was this the statement of a man ignorant of the condition of Ireland; of a person who was stating that for which he had not sufficient foundation; who had been misinformed by enthusiasts and grievance-mongers? Not at all. Facts of the same description were stated in the most positive language by Sir Michael O'Loughlen, in his evidence before the House of Lords, in 1839. He said that he had been in the habit for nineteen years of attending the Munster Circuit. On that circuit, he said, it was the custom of the crown to set aside from the jury all Roman Catholics and all liberal Protestants; and he stated it as his belief that this practice was carried to a still greater extent on other circuits. He stated one case of this practice occurring as late as the year 1834, when Lord

\* Lord John Russell, in the House of Commons; Debate on the State of Ireland, 13 Feb., 1844. (Hansard; vol. 72; col. 687-9.)



Wellesley was Lord Lieutenant, and when Mr. Blackburne, the present Master of the Rolls,\* was the attorney-general. He stated that in that case, *not a political case*, forty-three persons had been set aside, and that thirty-six of those were Roman Catholics, and seven Protestants. Amongst them were magistrates, and leaseholders, and persons of considerable property. . . . *Now, are these the laws of England? Does this at all resemble what takes place in selecting a jury in Kent, or Sussex, or Yorkshire, or Lancashire? Are these the laws, the just and equal laws, which Mr. Pitt promised should be extended to Ireland? Is this the fulfilment of the promises made at the Union? Is it not rather, as Mr. Brougham said, the distinction at once of sect and party—the separation of those who call themselves Protestants—which is, in fact, in Ireland, a political denomination from the rest of the community? Is it not the supremacy of political Protestants corrupting the sources of justice, and defrauding the people of that right of trial by an impartial jury which was declared due to them by the constitution of this country?"*

The writers of the national party, or, as it is known on the continent, Young Ireland, stoutly maintain that the system of Jury-Packing is an essential part of the machinery of the British government in "the sister isle." One of them one day told us, not without some appearance of reason, it must be confessed, that the instruments of oppression there are generally in harmony with the form of government which uses them. An absolute government which need not trouble itself about public opinion may, without any immediate injury to itself, make use of simple brute force to get rid of its adversaries. A constitutional government must proceed more cautiously: the public eye is upon it, the press does not spare it. To make use of violence would be to compromise and lose everything. On the contrary, by jury-packing appearances are saved, constitutional forms seem to be respected, legality is not outraged, and the end is obtained, more slowly it is true but more surely.

One would be inclined to look upon these accusations as the habitual recriminations of the vanquished, and the angry protestations of an impotent minority did examination of facts not clearly prove that it is no paradox. Jury-packing is an essential part of the machinery of the English government in Ireland. It is used in the nineteenth quite as effectively as it was in the sixteenth century, and for the same purpose. Whilst

\* Afterwards Lord Chief Justice, then Lord Chancellor, and now Lord Justice of Appeal.

on most other points no two things can be more divergent than the policy of whig and tory, packed juries have the privilege of uniting in an astounding concord adversaries habitually irreconcilable, as though it were a matter settled beyond the possibility of discussion that without jury-packing government is an impossibility in Ireland.

In his curious dialogue of Eudoxus and Irenæus, written in 1596, Spenser very naively sets forth the necessity incumbent upon the English of watching over and regulating this institution (which in England required no superintendence), in very much the same way as certain revolutionists enlighten and regulate universal suffrage, to prevent its making any grievous mistakes. The fault lies with Irishmen, says he; for whenever they sat on a jury in a trial where the accused was an Englishman, he was doomed to destruction. "They make no more scruple to passe against an Englishman, and the queene, though it be to stragn their oathes, than to drink milke unstrayned."\*

The law then was in itself excellent; but the Irish obliged them (the English) to look after it and regulate its working.†

The best remedy was evidently for the officers of the crown, judges, and other magistrates to take care in empanneling juries to get a majority of Englishmen, and to select such Irish as were of the "*soundest judgment and disposition*."‡

An excellent remedy, doubtless, had not the inevitable disadvantage of making the "Irish partie crye out of partialitie, and complaine he hath no justice—he is not used as a subject, he is not suffered to have the free benefite of the law."§

For the last three centuries, indeed, they have thus appreciated jury-packing, without, however, having been able to prevent its continuance. But what human institution would stand, if its abuses were made an unanswerable argument against it in spite of priceless advantages, which are quite as highly appreciated by the ministers of Queen Victoria as by the counsellors and admirers of Elizabeth?

We know with what energy the lieutenant of Charles I., Viscount Wentworth (afterwards Lord Strafford), turned jury-

\* *View of the State of Ireland*, p. 438.

† Yet is the law of itselfe good; and the first institution thereof being given to all Englishmen very rightfully; but now that the Irish have stepped into the very roomes of our English we are now to become heedful and provident in juryes.—*Ib.* p. 438.

‡ "But this inconvenience might be much helped in the judges and chiefe magistrates which have the choosing and nominating of those jurors, if they would have dared to appoint either most Englishmen, or such Irishmen as were of the soundest judgment and disposition."—*Ib.* p. 439.

§ *Ibid.*, p. 440.

packing to account in the royal interest of England. The lawyers, whom the viscount took over with his soldiers, discovered that the whole of Connacht had no other lawful owner than his majesty. With an imposing force to back it, this decision of the lawyers was being universally and servilely received, when the triumph of the spoiler met with an unexpected check in the county Galway. Strangely enough, Wentworth did not meet this resistance with the sword. A legal scruple obliged him to have recourse to a jury. To twelve jurymen was accordingly committed the task of deciding between the inhabitants of Galway, who wanted to hold their lands, and the crown, which coveted them.

No pains were spared to extort from this jury a verdict in the king's favour. But, notwithstanding all Wentworth's efforts, the verdict confirmed to the inhabitants the possession of their domains. Darcy, the sheriff, was immediately arrested on the charge of having empaneled a bad jury—Wentworth asked for his head.\* Sentenced to a fine of £1000, Darcy died in prison of ill-treatment. As to the jurymen, they appeared before the star-chamber of Dublin, and were sentenced to pay a fine of £4000 each; and, besides, to declare upon their knees, before the viceroy, that not only they had been mistaken in their verdict, but that they had been guilty of actual perjury. They unanimously refused to submit to this humiliation.†

After having punished, in this exemplary manner, the bad jury, Wentworth immediately set about getting a good one, on which there should be none but men of the "soundest judgment and disposition." This good jury did, in fact, give a good verdict, deciding that the county Galway, like the rest of Connacht, belonged to the king.

When, some time afterwards, Strafford appeared before parliament, his violence in Darcy's case, and that of the first jury, figured among the counts upon which he was condemned. Not a word, however, is said of the packing of the second jury; whether it be that this appeared slight in comparison with the other charges, or whether the advantages resulting from the proceeding exculpated him in the eyes of parliament.

In our own times, the English government has more than once had recourse to this system. In fact, we may state that whenever it has considered it its interest to bring that system into play, it has never failed to secure "good verdicts" by means of "good juries."

To the honour of the law lords of the upper house be it

\* Hardiman's *Hist. of Galway*, p. 105; quoted by M. De Beaumont, p. 59.

† Leland, iii. 30; Lingard; Plowden, i. 25; M. De Beaumont, i. 59.

said, that in 1844 they protested against this scandalous violation of the essential principles upon which trial by jury is based, by reversing the verdict against O'Connell, obtained solely by the jury-packing of the officers of the crown. This verdict had already been stigmatized by the energetic and eloquent protest of Macaulay.

"I do say," said this distinguished historian, not yet a peer of the realm, "that on such a question it is of the greatest importance that the proceedings which the government have taken should be beyond impeachment, and that *they should not have sought a victory in such a way that victory should be to them a greater disaster than defeat. Has not that been the result?*"\*

The same orator reproached the crown with not granting to Irishmen the same privileges and guarantees as are enjoyed by foreigners, and accused the ministry with having perpetrated an injustice under cover of a deceitful legality.†

Later, it is true, the whigs came into power, and did, or at least tolerated and profited by the very thing with which they reproached the tories. This was not, however, of course, because Lord John Russell, as prime minister, had got the better of the disgust with which this ignoble process had always inspired him! Thus it was that in 1848, after the arrest of Mr. John Mitchel, editor of the *United Irishman*, and one of the chiefs of "Young Ireland," Lord John Russell declared to the House of Commons that he had written to Lord Clarendon, the viceroy, to state that "he trusted there would not arise any charge of any kind of unfairness, as to the composition of the juries; as for his own part, he would rather see those parties acquitted than that there should be any such unfairness."‡

These intentions were, undoubtedly, noble; but the political necessity was urgent. State reasons spoke more convincingly than considerations of delicacy and honesty. Lord Clarendon gave him to understand, that for this time—though, indeed, for this time only—the whigs must sacrifice their maxims, which might for the future be undeviatingly adhered to.

At that time the jurors' book of the city of Dublin contained the names of 4,570 individuals, of whom 2,935 were Catholics.

\* Speech of Rt. Hon. T. B. Macaulay, in the same debate; 19th February. 1844. Hansard, vol. 72, col. 1186.

† "The affidavit which has been produced, and which has not been contradicted, states that twenty-seven Catholics were excluded from the jury list. I know that all the technicalities of the law were on the side of the crown; but my great charge against the government is, that they had merely regarded this question in a technical point of view."—*Ib.* (19th Feb. 1844, col. 1188.)

‡ I take these words of Lord John Russell from Mr. John Mitchel's *Last Conquest of Ireland*, p. 268.

The sheriff made up his panel of 150 names, of whom twenty-eight only were Catholics, and these in general were placed at the end of the list. The prisoner's counsel used their right of challenge, and set aside twenty names; the crown in its turn exercised its unlimited right, and set aside *thirty-nine*, of which nineteen were those of Catholics; so that the final panel consisted of twelve Protestants, among whom two or three were Englishmen, the others Castle tradesmen—all known to be Orangemen or anti-Repealers.\*

It was by these means, which Lord John Russell had previously so sternly condemned, that Mr. John Mitchel was sentenced to fourteen years' transportation. The whig government thus lost the right of ever again using the jury-packing argument against the tories; for in *all* the political trials which followed the insurrection of 1848, and the victory of England, the whigs had regularly recourse to this system. In vain did the public voice, even throughout England, nay, even in London, protest loudly against this hypocritical violation of constitutional guarantees. The cabinet was determined not to yield; and as in Rome, upon the proclamation of the *tumultus Gallicus*, everything—law, privileges, individual and public liberties—momentarily disappeared under the dictatorship, and the salvation of the people became the only law; so in England there was a sort of "*tumultus Hibernicus*;" the question was not whether ancient liberties solemnly invoked in the British parliament, and guaranteed both by custom and the constitution, should be respected or violated; no, the question was to hold Ireland at any price, and not to compromise by vain scruples a conquest, which a struggle of seven centuries had not yet consolidated.

A chartist meeting was held in London; vehement protests were made against the system of jury-packing, and against the condemnation of Messrs. Mitchel and Martin. One of the speakers was sentenced to two years imprisonment. And even sometime afterwards, when Messrs. Smith O'Brien, Mac Manus, and O'Donoghue appeared consecutively before the tribunals to answer for the call to arms which they had raised among the hills of Tipperary, the crown had not sufficient faith in the righteousness of its cause to allow justice to take its ordinary course. In every one of these cases, the juries were carefully packed; and four sentences of death, commuted by the queen's clemency, issued from these juries arbitrarily chosen, and manifestly devoid of that impartiality without

\* As Mr. John Mitchel was a Protestant, it was not so much a question of setting aside Catholics, as of selecting jurors who in any case would enter into the views of the government.

which the solemnity of justice is nothing but a cruel tragedy, of which the issue is known beforehand.

The whigs having, on this capital head, swerved from those principles of probity so honorably and advantageously upheld by them when in the opposition, people were warranted in considering jury-packing as one of the permanent elements of English justice in Ireland, whenever political questions had to be dealt with.

May it not, however, be maintained with regard to the above cases, that the commotion and perils of 1848 more than warranted these illegalities, and that, although evil must never be done that good may come of it, still there are circumstances in which the general good seems not only to justify but even to require painful exceptions to ordinary rules?

The discussion of this question here is completely superfluous, since it is easy to show the continuance of the same proceedings in the midst of the most profound tranquillity, and at times when the English government could no longer have alleged, as a pretext, the perils of insurrection. The fact is patent enough, that since 1848 Ireland has been (and was, in fact, immediately after the severe measures of doubtful legality which scattered in exile the most influential of the national party), quiet and calm. Not that this tranquillity is to be taken as a sign of attachment to English rule, and of confidence in the cabinet; but that, as a matter of fact, this tranquillity reigns there; that the laws are obeyed; and that authority, whether civil, administrative, or judicial, is unimpeded in its action, and meets with no other opposition than that encountered in speeches and newspapers, as in England.

Why, then, is this ignoble and dishonest system of jury-packing continued; a system which is to a whole class of citizens—and, as it happens, by far the most numerous in Ireland—a scathing insult? Why perpetuate, by the use of means which cannot but foment them, discontent and disaffection? Why corrupt, by this impure alloy, that sacred thing called justice? Is it not evident that grave evil is done to the ideas and moral conscience of a people, when it is taught to believe that in the hands of the powerful justice can never be other than an instrument of oppression and a weapon of vengeance?

In 1859, the government discovered the existence, in the county of Kerry, of a secret society. The Tories were then in power; and Mr. Whiteside had been appointed attorney-general for Ireland. The minutest precautions were taken by this gentleman to secure the condemnation of the accused. He began by appointing to preside at the Tralee assizes a

judge whose ministerial leanings were of public notoriety, and who, during the whole course of the trial clearly evinced the strongest bias against the prisoners. The really important point was, however, to make sure of the jury; and, of course, packing was a necessary requisite. This was done so effectually, that, in a county where the Catholics are about nine times as numerous as the Protestants, the twelve finally empaneled were Protestants without exception.

Public opinion loudly protested against this signal violation of justice. A meeting was held in Tralee during the month of April,\* at which the Bishop of Kerry, Dr. Moriarty, two Catholic members of the House of Commons, Lord Castlerosse, and the O'Donoghue, together with a great number of gentlemen, both Catholics and Protestants, assisted, and passed a vote of strong censure upon the proceedings of government.

The O'Donoghue, member of parliament for Tipperary, proposed that a petition should be addressed to both houses, praying for the adoption of such measures as should render the like abuses impossible for the future;† and Dr. Moriarty, a prelate greatly esteemed for the practical wisdom of his views, in language at once firm and temperate, protested against that jury-packing, by which, “after thirty years of emancipation, we Catholics are branded as bigots and aliens in our native land; branded as worse—as perjurers and men without a conscience.”

Seconded by the public voice, this energetic protest afforded the whigs, who shortly afterwards came into office, an easy opportunity of gaining popularity. The “Phoenix” trials had been so scandalous—violation of all equity had been so flagrant,—that the new ministry set at large the prisoners. Care was taken, however, not to give this measure the character of a reparation. The cabinet declined the formal responsibility of it, and evaded the questions relative to this matter which were put to it in the House of Commons.

With what countenance, indeed, could the whigs disavow and blame a practice of which they had already availed themselves, the use of which they had no notion of proscribing?

The last general election had scarcely closed, when a mayor

\* The sheriff of the county had been requested to call this meeting, but he refused to do so in order not to compromise himself before the government, whose nominee he was. The meeting was called by the justices of the peace.

† This petition declared: that legal agitation should not cease until the law regarding juries should be established on an equitable basis; it called the world to witness that the petitioners did not complain without grounds; it declared that the page in which the history of this trial should be found ought to be placed before the eyes of man, with this inscription:—An Orange Prosecution. Paid Witnesses, and a Packed Jury; such is Justice, as administered to the Irish people in 1859!

of one of the towns of the north of Ireland was accused of having lent a hand to manœuvres which cost the Protestant candidate his seat. This mayor was a Catholic, and belonged to a county in which the Protestants do not amount to a sixth of the population. The jury, an exclusively Protestant one, brought in a verdict against him, and he was sentenced to fine and imprisonment.

In 1860, during the summer assizes at Ballina (county Mayo) a Protestant appeared in court, charged with having attempted the life of a Catholic. The proofs were conclusive, and the judge asked for a verdict of guilty. The jury had, however, been packed; and the culprit was acquitted.

At the very time when we were leaving Ireland, (October, 1860), another trial, which took place in the county Tyrone, had been characterized by the same dishonest manœuvring on the part of government, and had called forth the same strong remonstrances on the part of the bar, and the independent press. Two Catholics were tried for having assaulted and maltreated a Protestant. They alleged, in their justification, that the Protestant began the affair by insulting them and calling them *bloody papists*. This was one of those affairs termed in Ireland *party cases*, that is, cases in which religion is at the bottom of the matter. The Catholics were condemned,—one to six, the other to two months' imprisonment. The jury was entirely Protestant. The prisoners' counsel immediately procured from the under-sheriff the list of the jury empaneled for this session. Of 150 names entered, one alone was that of a Catholic, and he had been "sent to try cow cases." The counsel indignantly protested against the scandalous iniquity of putting an exclusively Protestant jury to try such a case as this, adding, that so long as such things were permitted the law would inspire no confidence.\*

A Belfast solicitor, summoned to give his opinion upon a practice, with which twenty years experience had made him but too familiar, said a short time ago (and his evidence is all the more forcible, as coming from a Presbyterian), that he had "always been of opinion that the hopeless submission of Roman Catholics to oppression encourages its continuance. . . . That if under a Roman Catholic sovereign, law officers of the same persuasion would, in Belfast, dare to try Protestants, charged

\* "This is really disgraceful. There is only the name of one Roman Catholic upon the jury-panel, and that gentleman has been sent to try cow cases. It is really scandalous to try party cases of this kind by an exclusively Protestant jury, and there can be no confidence in the administration of the law as long as such things are permitted." (Mr. M'Crossan, Solicitor, Strabane Quarter Sessions, 19th Oct., 1860).



with a political offence, by an exclusively Roman Catholic jury, it would be difficult to prevent a general insurrection of the Protestants of Ulster."

A trial, which a short time ago made a great noise in Ireland, has thrown the fullest light upon the odious sectarian partiality manifest in the choice of jurors.

The editor of one of the chief Catholic papers of Dublin, the *Morning News*, had, in the month of July, 1861, given publicity to a letter, in which the under-sheriff of the county Armagh was charged with having, during a number of years, made up the jury lists in such a manner, as to exclude the Catholics, or, at least, to assign them a place totally out of proportion with their numbers.

The under-sheriff immediately entered an action for libel against the paper which had re-produced this letter. The latter months of the year 1861, were spent in preparation for a trial, which was to throw light upon one of the most important points of public administration. This single debate would substantiate or destroy the grave accusations under which the Protestant officers of the crown had so long laboured.

This capital question called forth a marked manifestation of opinion among the Catholics of Ireland. Month after month, meetings, speeches, addresses, and subscriptions followed one another, in favour of the paper which had so vigorously attacked the jury-packing system, and undertaken, at its own risk, the defence of the rights of Irish Catholics. Men of the highest standing, both lay and ecclesiastical, joined the movement. The archbishops and bishops of Ireland were the first to send in their subscriptions. All felt that it was no private suit which was going before the Court of Queen's Bench. It was a great national and religious trial, in which jurors and judges were to pronounce upon one of the oldest and weightiest of Ireland's wrongs.

The solemnity of the debates was in keeping with the magnitude of the question. The conduct of the lord chief justice, during the whole trial, was impartial.\*

The evidence upon oath given in court, and subjected to the most scrutinising cross-examination by the plaintiff's counsel, revealed to the public the proportions in which, during the six preceding years, Protestants and Catholics had figured in the jury panels of the county Armagh.

The following table shows these proportions with the most rigorous exactness:—

\* "Court of Queen's Bench.—Hardy v. Sullivan, 11, 12, 13, 14, December, 1861."

Years.	Assize Sessions.	Number of Jurors empaneled	Protestants.	Catholics.	Proportion of Protestants to Catholics.
1856	Spring	178	164	14	12½ to 1
	Summer	200	184	16	12½ to 1
1857	Spring	187	174	13	14½ to 1
	Summer	161	146	15	11 to 1
1858	Spring	193	174	19	10 to 1
	Summer	177	157	20	9 to 1
1859	Spring	201	182	19	10½ to 1
	Summer	177	156	21	8½ to 1
1860	Spring	152	136	16	9½ to 1
	Summer	194	177	17	11½ to 1
1861	Spring	314	271	43	7½ to 1
	Summer	189	170	19	10 to 1

Although these figures proved, as clearly as evidence can do, the influence exercised by sectarian party prejudices over the officers of the crown, to the detriment of the just rights of Catholics, still a verdict was given against the editor of the paper.

The facts were patent; no denial of them had been attempted. No written law obliged the sheriff's to take into consideration, in empanneling juries, religious denomination. The plaintiff's counsel got a verdict by insisting upon the letter of the law, although the spirit of it was clearly and scandalously violated.

According to strict right, which, says the old adage, trenches so nearly upon strict wrong, the county Armagh magistracy had in nowise overstepped its powers, since in these matters they are discretionary and absolute. Thank God, however, the trial before the Court of Queen's Bench, in December, 1861, was something more and something weightier than a libel suit between individuals. The court on the 11th, 12th, 13th, and 14th of December, 1861, entered upon nothing less than a solemn trial of the spirit ruling the application of British laws to Irish Catholics.

This spirit was not only tried, but condemned. The reservation made by the jury, the amount of damages, merely nominal, awarded to the plaintiff are in themselves a strong protest against a verdict required by the letter of the law.

Both judge and jury might as well have said: It may be according to law, but it is certainly dishonest, to continue a

treatment of Catholics marked by such evident partiality. The statutes of the realm do not require a single Catholic to be empaneled upon a jury. For this reason we give a verdict in favour of the magistrate, and against the journalist. We wish, notwithstanding, to show that although the letter of the law acquit the one and condemn the other, natural equity, conscience, and public opinion give a totally opposite verdict; that they loudly protest against the continuance of a sectarian spirit, calculated to perpetuate among the inhabitants of one same country the most fatal divisions.

May the trial of December, 1861, put an end for ever to those abuses which it has so clearly brought to light!—may the dishonest and fatal tradition of jury-packing close for ever with these celebrated debates! The true friends of the English government are more interested than any others in responding by a hearty amen!

Nothing, in fact, is more calculated to lessen the moral authority of a government, without which material strength is powerless, than mistrust or doubt concerning the equity of legal decision. The confidence of a nation's representatives may be purchased—the treaty of 1800 is but too celebrated and shameful an example of the fact; the journalist's pen may be bought, and the liberty of the press become a delusion; but if in the tribunals judges and juries are above suspicion, a nation oppressed and betrayed though it be still possesses guarantees, themselves a source of moral power to the government which respects them. If, on the contrary, dishonest practices have, unhappily, tarnished the reputation of those who sit in judgment upon the life and fortune of the citizen, it may be affirmed that the *res publica* stands upon an unsound basis, and that the government which fears not to introduce these fatal practices into the sanctuary of the law, compromises there its safety, after having there lost its honour.

## CHAPTER VI.

### EXORBITANT POWERS OF GRAND JURIES IN MATTERS OF LOCAL ADMINISTRATION.\*

IN Ireland the justices of the peace, assembled in "quarter sessions," confine themselves to the administration of justice. To the twenty-three jurors, composing the grand jury, and nominated by the sheriff, belong all matters of local administration.\*

The most important prerogative of grand juries, however, the one from which the most lamentable abuses have sprung, and to modify or reduce which many bills were presented to parliament during the session of 1861, is that of taxing the county.†

These taxes are levied for the following purposes:

Construction and repairs of roads, bridges, quays, courts of justice, and prisons.

To meet the expenses of houses of detention, and the police force.

Salaries of county officers; works of public charity; provision for repayment of government loans; and different other county expenses.

Among these expenses some are left to the decision of the grand jury, others are ordered by government, and must always form part of the taxes. Among the latter are those necessary for the foundation and support of the county and district hospitals and infirmaries; the establishment and repairs of diocesan schools; inquest expenses; police pay; rearing of foundlings; salary expenses of commissioners of public works; fines for wilful damage; expenses necessitated by the provisions of the arms' bill; and a few other objects of minor importance.‡

\* For the judicial powers of the grand jury, see *ante*, p. 56. The exercise of these powers has more than once provoked just complaints. The influence which political and religious prejudices may exercise upon a criminal court, usually made up of Protestants, is easily understood, when a decision is to be come to, whether, against such and such a prisoner, the bills shall be "ignored," or he be sent for trial to the assizes.

† "Local taxation" is divided into general and particular. The general taxes are:—1. Grand jury cess; 2. Poor rates; 3. Parish cess. Particular taxes are those destined for the paving, lighting, &c., &c., of towns authorised to adopt the Towns Improvement Act of 1854.—Thom's *Official Directory*, 1861, p. 711.

‡ Thom's *Official Directory*, 1861, p. 711.

Nothing, assuredly, is more manifestly at variance with the fundamental principles of the English constitution than these financial powers of grand juries in Ireland.\*

From magna charta, to the declaration of rights in 1689, the one constant maxim, the justice of which the British nation would never suffer to be called in question is "no tax upon the nation to which the nation has not consented by its representatives." The violation of this principle cost Charles I. his crown and his head. When the Stuarts made way for the house of Orange, this was one of the first guarantees to which the nation bound the new dynasty, by exacting from it a solemn pledge. The composition of grand juries is the formal abandonment of this principle. They are assemblies arbitrarily nominated by an agent of the executive power; and they levy taxes upon the people without being its representatives.†

Twice a-year, *i. e.*, before the spring and summer assizes, the sheriff makes out the grand jury list. In this matter his power is even more absolute and discretionary than in that of the ordinary juries. The accused have the right of challenge in the case of petty juries, whereas the ratepayer does not enjoy this right with regard to grand juries. The sheriff is responsible to no one for the manner in which he makes out his list. He is only bound to choose at least one juror from each barony in the county. With the exception of this immaterial restriction his freedom of choice is absolute.

This choice invariably falls upon the richest landowners of the county, or upon their agents; and although the jury-list is renewed twice yearly, the same names nearly always figure upon it.‡ Do the personal, religious, and political leanings of the sheriff exercise any influence upon the composition of the grand jury lists? To deny that they do would be impossible. The unanimity of the evidence relative to this question, and recent facts, leave no doubt upon the matter. Thus, for instance, in July, 1859, in a county where not only the Catholics are in the proportion of ten to one to the Protestants, but in which there are more wealthy Catholic land-

\* "Taxation and representation are inseparable." (Lord Camden). "To be taxed without being represented is contrary to the maxims of law and the first principles of the constitution." (Lord Chatham).

† See resolutions passed at a meeting held at Dublin, May 30, 1861, under the presidency of Captain Darley. "Such a law," said Mr. J. Byrne at this meeting of ratepayers, "is unjust and unreasonable on principle and in practice. The House of Commons would not suffer the House of Lords to establish a tax, because the House of Lords is not a representative assembly."

‡ "It may be further observed, that, with few exceptions, the panels for the last ten years have been exact copies of each other." (*Mayo Telegraph*, quoted in the *Dublin News*, of 26th July, 1861.)

owners than in any other part of Ireland; out of twenty-three jurors, nominated by the sheriff to serve on the summer jury, two only were Catholics and twenty-one Protestants.

Thus it happened that when a few days afterwards a deputation presented itself to ask for a grant to a Catholic penitentiary, the task of examining whether the request ought to be taken into consideration was confided to five Protestant jurors.\*

One may easily judge of the amount of confidence rate-payers have in the impartiality of such assemblies (invested with an arbitrary power, and governed by interest or party spirit), of levying upon the country a very material part of the taxes.

For a considerable period, and up to a time not far distant, *the most cynical egotism*† marked the division of taxes levied by the great landlords. A parliamentary inquiry, made in 1832, mentions landlords, who, not having received their rents from their tenants, found means of getting paid by a grand jury vote.‡

At this same time, these assemblies were justly charged with deciding according to their private interests upon all works, improvements, and embellishments, comprised under the head of works of public utility.§

These abuses, so severely handled by one of our great French

\* Grand jury of the county of Cork, summer session. (See papers of Dublin and Cork, of 21st to 31st July, 1860.)

† Expressions unaltered by M. de Beaumont, in 1845, in the 6th edit. of his book, (I. 279.)

‡ *State of Ireland*, 1832, pp. 187, 208. (Quoted by M. de Beaumont, I., 382.)

§ Let M. de Beaumont speak in his own words. The reader will see that I am far from expressing myself with the strength to which he carries the just severity of his language; and that by invoking such powerful testimony, I might have been much less sparing in my appreciation of the abuses of the Irish Protestant aristocracy:—"Invested with the exorbitant right to tax the county, they overwhelm the poor by imposts, from which they are careful to preserve the rich. And of these taxes, when levied, what use do they make? They expend them for the advantage of the rich, and they apply no part of them to the profit of the poor. If they have to devote anything to relief, they accord it to the Protestants, and give no share to the Catholics; yet, the latter are the poor, and they alone want aid, of which the former are not in need . . . . Authority is in their hands but a means of advancing their private interests. Is there a question of a new line of road? They consider not the wants of the country, but only their own personal convenience; and the people have to pay a heavy tax, not to connect together any important centres of population, but to establish an easy and agreeable communication between the seats of two rich men . . . . What then will they do for the people? They build them barracks and prisons, the only establishments which in Ireland are built in splendour. In fact, they commit so many enormous abuses, so many gross frauds, so many excesses before unheard of, that in the end they will render proverbial in England the malpractices of Irish grand juries—Irish '*Grand Jury Jobs*.'"—De Beaumont; ed. of 1845, i. 279, 280.

publicists, no longer exist to the same extent that they had twenty years ago.

Formerly the county taxes were voted, and the debates concerning them took place with closed doors. Now-a-days the sittings, in which the local budgets are voted, are public. Moreover the expenses determined upon by grand juries are previously examined and discussed by a certain number of ratepayers, appointed by the grand jury itself. These ratepayers sit with the magistrates in the baronial sessions,\* in order to study the proposed presentments.

This modification conceded to the just reclamations of public opinion, is however far from having extinguished the completely arbitrary principle on which the organization of grand juries in Ireland is founded. Those ratepayers upon whom is conferred a kind of right of examination of the financial operations of the grand juries, are only very indirectly the representatives of their fellow citizens; they are *selected* by the grand jury, not *elected* by the taxpayers;† and as for the members of the jury, they are still less the elected of the nation, for they are but selected by the government through the sheriff; so that even to this day the great constitutional principle, that without representation there can be no taxation, remains a stranger to the organization of grand juries.

In 1849 an Irish member called the attention of parliament to this grave question; but, as often happens to Irish business, it was postponed to the following session.‡ Six years afterwards, in 1855, Sir Denham Norreys endeavoured to bring in a bill, which, however, was always postponed, from session to session, to 1857.

In 1860 and 1861 public opinion was more seriously than ever awakened to the necessity of introducing the equitable principle of representation into the grand jury system.

A remarkable speech of Lord Fermoy, at a meeting of magistrates and ratepayers of the East Riding of Cork,§ showed by authentic figures that Ireland is, of all the countries in Europe, that which bears the heaviest burthen of local taxation.¶ Some months later (Jan. 1861), at a barony sessions of the same county, composed of magistrates and ratepayers

\* "Special session," "road sessions," "baronial sessions."

† "*Selection* is not *Election*."

‡ "In 1849 an Irish member had endeavoured to excite action upon this question, but it was said: 'Oh! leave it over to next session, and something shall be done.' That 'next session' was a favourite period for considering all Irish matters."—Speech of Mr. Butt, M.P. for Youghal, in the H. of C., March, 1861.

§ September, 1860.

¶ "I have come to the conclusion that Ireland is the country of all Europe that pays most heavily to local taxation."

deputed to take part at the meeting, the chairman, a great Protestant proprietor, was able to say, that the grand jury system was completely "rotten," that the present state of the law was so iniquitous, that it could not last longer; and that it was full time that the ratepayers were represented.\*

In the month of March Mr. Butt moved in the House for the appointment of a committee to inquire into the financial powers belonging to grand juries, and to consider the improvements of which the existing system was susceptible. The motion was negatived by a majority of ninety-four. Mr. Cardwell, secretary of state for Ireland, invited, however, members to use their right, and present bills upon the subject. Two bills were, indeed, laid upon the table of the house—one embodying the ideas of Mr. Butt, and brought in by Mr. Bagwell (member for Clonmel), the other, containing a few minor amendments, without striking at the root of the evil, brought in by Colonel French, member for the county Roscommon.

The session of 1861 came to a close without the adoption of any measure. Let us hope that before the session of 1862 closes, parliament will have satisfied the well-grounded demands of the Irish rate-payer, and have set grand juries in harmony with the rest of the British constitution.

The question of local taxes would be one of slight importance compared to that of the general taxes voted in the yearly budget by the legitimate representatives of the nation, did not these taxes amount yearly to a considerable sum, and add a heavy burthen to that of the other public contributions. Within the last six years especially, they have materially augmented.

The sum total of rates levied by grand juries was—†

In 1853	. . . . .	£879,328
„ 1854	. . . . .	922,852
„ 1855	. . . . .	978,073
„ 1856	. . . . .	1,018,516
„ 1857	. . . . .	1,045,132
„ 1858	. . . . .	1,067,273
„ 1859	. . . . .	1,059,647

A tax, then, of more than a million sterling is annually levied in Ireland by an oligarchy of wealthy land owners. Thus has fared that primary principle of public right—"no taxation without representation"—a principle anterior even to consti-

\* "It has been my confirmed opinion for a very long time, that our grand jury system is most rotten . . . rotten from beginning to end . . . I really think that every man who pays those rates should have a voice in the levying of them . . . The time has arrived when something ought to be done to change the present iniquitous system."—Lieut. Col. Roche, J.P., Chairman; 26th Jan., 1861.

† Thom's *Official Directory*, p. 711.



tutional government, in a country supposed to be ruled by the law of England.

If this tax is radically an unjust one, inasmuch as it has neither representation nor the consent of the rate-payer to back it, the manner in which it is levied is not less objectionable, for it is difficult to see in what manner proportionate equality is observed in its division.

In fact, the ground of division of the taxes levied by grand juries is not the *possession* but the *occupation* of land. Take, for example, a wealthy landlord owning ten thousand acres, himself occupying, however, and farming only one thousand, the remaining nine thousand being let out; the rent-roll of this landlord goes for nothing in the distribution of the grand jury cess.\*

Nine-tenths of the taxes are paid by the tenantry, many of whom have no lease, and are not sure of holding six months the tenements upon which the local tax is levied. Of these same taxes the great landlord pays but a tenth; he, however, is the one most certain to profit by the works of public utility, to the accomplishment of which the taxes will be devoted, just as it is he who is most frequently called upon to vote the amount of these rates in the half-yearly meetings of the grand juries.†

We have seen above, that by virtue of an act of parliament, one of the obligations imposed upon the grand jury is that of levying an additional rate upon the whole or part of the county, as compensation for malicious injuries.‡ This right or duty of grand juries very easily becomes an instrument of oppression in the hands of the landlords composing these administrative assemblies; and it is a matter of legitimate surprise to us that the British parliament authorises and holds itself responsible for an arbitrary institution which carries the mind back to the worst times of feudal despotism.

A very recent instance will show how diametrically opposite these financial powers of grand juries are to those constitutional pledges, the benefit of which every British subject, without exception, has a right to claim.

The landlords of Donegal have, within the last few years, introduced a marked change into the working of their estates,

\* Although frequently the amount of rent exceeds from 15 to 25 per cent., the figure of the official valuation.—*Griffith's General Valuation*.

† "The tenantry are made to pay for the roads, bridges, jails, asylums; while the landlords, the wealthier class, who could bear taxation far better than the tenant class, are almost wholly exempted from contributing towards their maintenance."—*Cork Examiner*, 27th July, 1861.

‡ Thom's *Official Directory*, p. 711.

and have inaugurated a kind of violent revolution in farming among those bleak mountains.\*

A considerable number of small farmers, enjoying, in virtue of an immemorial and hitherto undisputed custom, the right of grazing their flocks upon the scanty herbage of these mountains, saw themselves suddenly deprived of the benefit of this prescription. Thousands of acres of heath and common came into the market, and were let to foreign settlers, mostly Scotchmen and Presbyterians. The breeding of cattle on a large scale being introduced by them, a regular invasion of the wild districts of the north accompanied it. We shall have to treat later on the consequences to the poor native tenantry of this sudden revolution. Here we have simply to deal with the fact, inasmuch as it bears upon the financial powers of grand juries. The Scots, then, soon complained of material losses among their flocks of sheep. These losses were immediately put down to wilful malice, and to feelings of base revenge on the part of the previous holders. A memorial was accordingly presented by the Scotchmen begging the grand jury of the county to levy an additional tax upon the inhabitants of the districts in which these losses were proved to have taken place. This tax was in fact voted, and fixed at thirty-five shillings per sheep. Since the introduction of this tax, not a session passes in which the Scotch breeders do not present a list of the sheep which have naturally perished in the mountains, and demand from the unfortunate tenants of Donegal sums, which, added to the rent, and ordinary local taxes, (police-tax, poor-rates, &c.) render existence such, that numbers prefer crossing the ocean, and seeking in America or Australia a less precarious and less difficult livelihood.

The intervention of one of the chief judges of Ireland in this matter has opened the eyes of the most prejudiced and most partial to the incredible abuses to which, for some years, thousands of poor peasants, have had to bow in silence. To-day even these abuses would, perhaps, be looked upon as an equitable administration of justice, had not the respected voice of a high functionary courageously condemned them.

During the summer assizes of 1860 a Northumberland breeder, of some years' standing among the Donegal mountains, claimed pecuniary compensation for more than two hundred and fifty sheep, stated by him to have been killed, stolen, or maliciously injured on the night of the 15th of January preceding. The grand jury voted his claim well founded, and

\* We shall developé this point fully when treating, further on, on the capital question of property and its working in Ireland.

allowed him £335. This sum was to be levied, as an extraordinary rate, upon the inhabitants of the district in which the supposed loss had taken place. The poor farmers, upon whom this crushing charge was to fall, opposed the claim of the English breeder. The case was taken before Lord Chief Justice Monahan, chief judge of the Court of Common Pleas, who was at that time on the circuit. After having examined the case the lord chief justice declared that he was convinced, as firmly as of his own existence, that the sheep had not been maliciously destroyed.\*

In order, however, to come to a juridical decision, he ordered that the case should be laid before a jury, before which the witnesses of the respective parties were examined. This jury of twelve was an exclusively Protestant one. The evidence submitted to it abundantly proved that the sheep had much more probably fallen under the severity of the weather than under individual malice. In the ravines a large number of these animals had been found. It had been impossible to discover upon them any marks of violence. The wet and cold had killed them. The jury decided unanimously against the groundless claim of the English breeder, and for once the poor peasants of Gweedore escaped the heavy contribution with which they had been threatened. Who can doubt for a moment that had this case not been so impartially and energetically conducted by the lord chief justice, the claim would have been allowed, and the wretched Catholic tenants once more found rateable at discretion—“*taillables et corvéables à merci*,” as in the old times of feudal tyranny. Would not the presence of this high magistrate in those wild districts seem to have been determined by Providence, in order that a population, barely able to provide for the necessities of life, might be protected from excessive oppression? Will quarter sessions, however, find always a judge as upright or as independent? Will not Scotch breeders continue to find in members of the grand jury their natural allies? Who will guarantee against the return of cupidity, seconded by arbitrary power, these peasants whom their oppressors wish to strip of everything, from their mountain pasture grounds to their very character for honesty; of whom they first make beggars, and would then fain make rogues? Can it for a moment be supposed that were this simple and fundamental principle—“no representation, no tax,”—applied in these matters, the lawful representatives of this people would be as ready as its present masters to overwhelm it with taxes and rates, the only escape from which are captivity in work-

\* “I believe as firmly as I do in my own existence that these sheep were not maliciously destroyed.”

houses, emigration, or death? Will the stern lesson taught the Scotch breeders of Donegal by one of the highest functionaries of justice in Ireland, will the indignant voice of the Presbyterian press of Ulster (a press not to be accused of any bias in favour of the Catholic peasantry), for the future prevent the recurrence of the like malversation? This is doubtless one of the triumphs reserved for the progress of public opinion; but once more, so long as the grand jury system stands unmodified, so long as exorbitant power shall be exercised independently of the ratepayer's vote, so long as the members of these fiscal assemblies shall be the privileged elect of an agent of the executive power, subject to an illusory control, and invested with the right of taxing, at their good pleasure, populations to which they are so frequently strangers by blood, religion, or political interest, so long will the Irish be justified in holding to the trite dictum which, in appreciating the management of affairs makes the expression "*Grand Jury Job*" a synonyme for arbitrariness and malversation.



## CHAPTER VII.

### MUNICIPAL AND PAROCHIAL INSTITUTIONS.

FROM what precedes, it is clear, that, as a fact, political prerogatives, and constitutional equality are, in regard to large numbers of Irishmen, a dead letter,—a theory without application.

During the last five and twenty years, however, a step has been made in the right direction; and the painful duty of pointing out abuses, and laying our hand upon injustice, makes the task of doing homage to some progress all the more grateful.

A quarter of a century ago, notwithstanding the Emancipation Bill, Catholics, but little favoured in political, were scarcely more so in municipal life. As early as 1793, a law had, indeed, thrown open to Catholics the corporations, and allowed them to form part of the body of freemen "burgesses." In 1829, the Emancipation Act had further declared them eligible to all civil and judicial employments within reach of these corporations. But the spirit of exclusiveness, more vigorous than the laws which had engendered it, remained rooted in minds after it had disappeared from the code, and raised against Catholic citizens offensive barriers. In 1839, ten years after the Emancipation Act, the body of Dublin burgesses

still refused to open its ranks to Catholics; and the corporation of a town, more than half of whose population is Catholic, did not count a single member of that religion in its ranks.\*

At this period, Ireland numbered seventy-one corporate towns, with a population of 894,503. The municipal reform, introduced into England in 1836, and five years later into Ireland, reduced the number of corporations in the latter country to eleven;† and, in the majority of towns, invested with the prerogatives of the corporation commissioners elected by the burgesses.

Since that time Catholics have won among their fellow citizens undoubted influence, productive of very happy results. They not only form part of the body of "freemen" burgesses, but a certain number of them annually rise to those of the municipal dignities, which are elective; and among the eleven mayors in office in 1861, in the corporate towns, six were Catholics.‡ In places where, either according to previous agreement, or by free choice, the Catholics, when in a majority in the body of freemen, elect Protestants; this conduct evinces a conciliatory spirit in the electors, and an equitable spirit in the elected.§

Actual equality, civil, and political, so frequently wanting in institutions dependant upon the central power, or belonging to county administration is then established in the municipal institutions. There it is that Catholics, gathered in greater or less force, have learned to estimate their strength, and to avail themselves of their constitutional rights.

They are already using them in the peaceful conquest of prerogatives and liberties, the value of which ages of deprivation have taught them. It is only in the towns, however, that commercial success, or talent in the liberal professions, has counterbalanced the Protestant preponderance, so powerful in the country.

It is easy enough, indeed, to understand how in the midst

\* In Naas, where the Catholics are thirty to one to the Protestants, the corporation was exclusively Protestant.—M. de Beaumont, I. p. 290, and *Appendix*, pp. 381, 382.

† Belfast, Clonmel, Cork, Drogheda, Dublin, Kilkenny, Limerick, Londonderry, Sligo, Waterford, Wexford. In numbers of other towns the corporation system has been superseded by that of Municipal Commissioners, whose powers and prerogatives are nearly the same as those of the corporation.

‡ In Clonmel, Drogheda, Kilkenny, Limerick, Waterford, and Wexford.

§ In Dublin, the lord mayor is alternately chosen from among the Catholics and the Protestants. In Cork, one of the most Catholic towns in Ireland, a Presbyterian, Sir John Arnott, was in 1861 elected for the second time. Sir John Arnott's liberal tendencies, his solicitude for the workhouse poor, the firmness and equity of his administration sufficiently justify the confidence he enjoys. Mr. Maguire, M.P., is at present mayor of Cork; he is author of the well-known work, *Rome and its Ruler*.

of a peasantry mostly totally uneducated, and almost absolutely dependant upon their landlord for the prime necessities of life, the Protestant liege lord, whether as a landowner, a magistrate, or a juror,—indeed generally in the triple capacity,—enjoys with absolute power an unlimited and uncontrolled authority.

The rights of property, the prerogatives of justice, the influence of administrative action, in a word, that mass of privileges, that fusion of powers so carefully and so rightly distinguished in the constitutions of free peoples, all conspire to make the landlord the successor and heir of those feudal barons, who rarely counted but with God and their sword, unchecked as they were by charter or constitutional theory in the use and abuse of their authority.

In the towns, on the contrary, things are returning to something like a state of equality. The Catholic, successful in business, or honoured for his talent, can pit his influence against that of the Protestant landowner, magistrate, or juror. All-powerful in the country, feudal traditions die out within the precincts of the town, and the strides of equality and justice in manners score themselves by a corresponding progress of equality in institutions.

This statement is, however, only perfectly true when applied to towns of a certain importance, in which Catholics have fought their way up to an influence proportioned to their numbers. Parishes, in fact, such as in England wield various and important powers, have in Ireland been completely stripped of all political influence. And since in Ireland the mass of the Catholic population is necessarily kept far from the towns by the very nature of its labour—an almost exclusively agricultural one—political life, with the exception of the right of voting, may be said to be foreign to the majority of the Irish people.

It may not be useless to state the causes which, whilst the English parish is the focus of a multitude of great interests, full of life and movement, indeed a kind of free republic,\* have reduced the Irish parish to insignificance, or rather even to absolute nullity.

In the parish, the public power resides in the “vestry,” or assembly of ratepayers.

Theoretically the “vestry” is empowered to vote the taxes destined to meet parish expenses of general interest, whether religious or civil, and to elect the parish officers.

But in the case of all parishes exclusively Catholic, one of the most important of these powers has long been completely

\* M. de Beaumont, I., 294.

withdrawn. The vestries of such parishes have been forbidden to meet for the purpose of managing matters touching public worship, and of levying the rates necessary for its maintenance. This law still exists, and is of itself a proof of the importance of those parochial rights, which in theory seemed to put the Catholic populations in possession of such important material guarantees.

Another law, more intolerant and more odious, continued in force even four years after the passing the Emancipation Act; a law, namely, conferring upon the Protestants of a parish, however small their number, the exclusive right of forming the vestry for all matters touching the Establishment, of voting the expenses necessary for the worship, and of providing for these expenses, by a rate levied upon all the parishioners indiscriminately. This was simply throwing the burthen of Protestant worship almost solely upon the Catholics.

The law of 1833, deprived the Protestants of this exorbitant and supremely iniquitous right. But the result of this was to take religious interests completely out of the hands of the Irish parish. In the "vestry," held every Easter Monday, sums are voted for the rearing of foundlings, the burial of paupers, and the salaries of the parish officers. In this vestry, too, are elected the clerk, the churchwardens, and the beadle. And this is all. Such is, we believe, an exact statement of the political powers belonging to the Irish parish. This is the sphere to which its action is confined. It must be admitted that this action could scarcely be more narrow.

The equality said to exist between Catholic and Protestant in Ireland is then but too often only an empty sound. How many wide differences are to be found in actual life and in the daily intercourse of man with man! How much of the region of facts is occupied by the influence of conquest, and sectarian spirit! How unequal to-day, in spite of the act of 1829, in spite of the visible leaning of the present age towards broader justice, is the share of liberty, of guarantees, of rights and privileges enjoyed by the ancient vanquished race, in comparison with that enjoyed by their conquerors!

Ireland, though she bear the name, certainly meets with anything but a *sister's* treatment at the hands of England. She is treated as a conquered country.\* This fact, we fear, we can establish beyond a doubt. To do so, it will be neces-

\* "L'Irlande est traitée en pays conquis;—la liberté religieuse a été rendue—mais la blessure du sentiment national n'a pas été cicatrisée. Si l'oppression a disparu, il reste les conséquences de l'oppression."—M. Jules de Lasteyrie, *Revue des Deux Mondes*, 1 Aug. 1853, and 15 Dec. 1860.

sary to refer to the financial relations existing between the two countries, and to lay open the exceptional measures which England has, in the interests of her dominion and her safety, so frequently enforced in Ireland.

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## CHAPTER VIII.

### FINANCIAL RELATIONS BETWEEN ENGLAND AND IRELAND.

WE have seen, in the Historical Introduction, how one of the consequences to Ireland of the Union was the quadrupling of her public debt in the short space of fifteen years;\* and how this insolvency, forced upon her, ended in the union of her exchequer with that of Great Britain.†

From that time, Ireland has in no wise seen how her revenue has been expended: a grievance, of which the writers of the national party very rightly complained. The representatives of Ireland in parliament are too few to exercise a decisive influence upon the budget-vote. She does not keep her own accounts. The books, as well as the treasury, are kept by England, whose financial politicians are marvellously skilled in the art of book-keeping, and in the *delicate* operations of commerce and banking.

At the very moment the Union was effected (itself a piece of disgraceful traffic, as we have seen‡), England, not content with purchasing Ireland, contrived to make her pay personally for the annihilation of the last vestige of her nationality. The three millions sterling, which bought the consciences and the votes of the Dublin parliament, were actually put down to the account of Ireland.

Without any decisive influence upon the vote for the general budget,§ without any material control over the outlay of her taxes, Ireland yearly sees the surplus of her

\* From twenty-eight millions sterling, in 1801, to one hundred and twelve millions sterling, in 1816.

† This union of the exchequer, was in open violation of article VII. of the Treaty of Union.

‡ "The Union," said the *Times*, in the beginning of December, 1860, "was accomplished by the very basest of means."

§ We have already mentioned the fact, that when it was proposed to subject Ireland to the Income Tax, out of one hundred and five Irish members seventy-two voted against the measure. It was carried by the Anglo-Scotch majority of the House. The Income Tax in Ireland, amounted in 1859, to £718,368.—*Thom's Off. Directory*, p. 95.



receipts over her expenditure applied to objects exclusively English in interest, so that she bears more than her proportional share of the burthens of the empire, and receives less from the exchequer, than she pays into it.

We are aware, that on this point we are in conflict with the English school, whose favourite theme, in the matter of financial administration, is, that in point of taxes, Ireland is the privileged of the two countries; since she pays no land-tax, except for local expenses, and is not subject to all the indirect taxes which weigh upon England.\*

No profound knowledge of political economy is, however, necessary to bring one to the conclusion, that the power of supporting taxes is proportioned both to the productive power, and to the development of the agricultural, manufacturing, and commercial resources of a country. The alleged privilege of Ireland might, when tested by this principle, be said to mask an inequality highly disadvantageous to her. For, if with the united resources, every day increasing, of her commerce and manufactures, England produces as ten, and pays taxes as seven,—whilst Ireland's taxation being only as five, it is true, is met, however, by a productive power of only six, (since her manufactures are scarcely appreciable, her agriculture very backward, and her commerce far below that of Great Britain,)—it is easy to see that her share of the burthens, in proportion to her wealth, is far greater than that of England.

When, moreover, one wishes to get a just and complete notion of taxation, besides asking to what it amounts one must ask what benefit is derived from it. England is heavily taxed, more heavily than Ireland: granted. She profits, however, by all she pays. There is not one financial sacrifice imposed upon her citizens unrepresented by a corresponding increase of power, influence, and splendour in the country.

Ireland, on the other hand, which pays more than is warranted by the state of her manufacturing and agricultural resources, complains that year after year the surplus of the taxes handed over to the exchequer is employed in expenses by which she benefits but very indirectly, or not at all. How often, for instance, have not Irish members called the attention of parliament to the neglect of Ireland's many ports, naturally adapted, as they are, to all the requirements of the royal and merchant navies, whilst not a session passes in which considerable sums are not reserved, by British foresight, for the enlargement,

\* If Ireland has managed to get rid of certain indirect taxes, all reason for which existed in England alone, surely that instead of being a privilege is but the application of the simplest equity.

fortification, or simple embellishment of English ports, in order the more surely to draw into them the commerce of the two hemispheres. And when we reflect upon the terrible crisis through which Ireland has passed, although we honor, as is just, the generous efforts made in her behalf by English charity, we cannot but believe that had Ireland had the management of her own finances, she would have been able to turn them to better account in the days of her misfortune.

A parliamentary document, laid before the house in 1842, showed the balance of accounts between the two countries for the nine years preceding (1833-1842).

Ireland had sent over to England £6,355,000, and had received from her £80,000.

Whence it is clear that the balance in favour of England, and against Ireland, was £6,275,000, making an average of £700,000 yearly.\*

According to the official documents of 1859, the sum annually paid by Ireland into the treasury, amounts to over £7,000,000:† she is set down as costing to the amount of £6,000,000 of the public expenses. There remains, consequently, a surplus of £1,000,000 in England's favour, so that, to speak truly, it is Ireland who assists England, or perhaps better, England who taxes Ireland for works and undertakings of purely English interest.‡

This is what Irish economists, in figurative language, but too rightly term the permanent system of *drainage*. Indeed the simple fact is, that this amount is nothing but Ireland's natural resources, poured out through every species of channel, and flowing into the great reservoir of British prosperity.

Undoubtedly, in consequence of the union, Ireland shares in all the maritime, military, colonial, manufacturing, and political greatness of the British empire; nevertheless, what proves that this union is more apparent than real, compulsory rather than voluntary, is the fact that Ireland has not yet

\* Parl. Papers, No. 305, Sep. of 1842, quoted by Mr. Smith O'Brien in his speech of July 4th, 1843.—Hansard's *Parl. Debates*.

† The exact figure is £7,087,961.—Thom's *Off. Dir.* p. 92.

‡ In order to avoid the shadow of exaggeration, we have quoted the most moderate estimates. How much greater would not the disproportion between the amount of taxes paid, and the benefits resulting from them appear, were we to add to the taxes paid directly into the royal treasury by Ireland—1st. The amount of duty paid in England upon articles which go over to the Irish market, the burthen of which taxes is evidently borne by Ireland alone. 2nd. The large incomes of Irish absentee landlords, spent almost totally out of the country which furnishes them, and which derives no benefit from them. We are very much within the truth when we estimate at £4,000,000 the united amount of these two indirect taxes. (Some authors estimate the former at £3,000,000, and the latter at £5,000,000; total, 8,000,000.)

made up her mind to pay for this glory at the required rate. What province in France, forsooth, would grudge the expenses necessary for the prosecution of a work of national interest, even though that province should be benefitted but very indirectly by it? The noble words of the Apostle may well be applied to this living body, whose members are united by the closest sympathy. In this body there is "no schism, but the members are mutually careful one for another; and if one member suffer anything, all the members suffer with it, or if one member glory, all the members rejoice with it."\*

Yes, all these provinces love one another, and "feel themselves answerable for one another. The Gascon interests himself about the Fleming; the Burgundian rejoices or suffers with the Pyrenean provinces; the Breton, by the side of the ocean, feels the blows dealt to France upon the Rhine."†

Consequently, it would be an insult to one of these provinces to deem it necessary to prove to her that she receives from the public resources exactly that benefit to which her share of the burthens entitles her. She knows and feels that she shares in whatever is done for the power or glory of her sisters. Family feeling here outweighs all questions of private interest.

The case is very different between England and Ireland. The former would never consent to bear alone the weight of an outlay of exclusively Irish interest. The latter does not deem herself compensated for her burthens by the increased strength or greatness which works carried out at Portsmouth or Liverpool give to the British empire, nor by the establishment of new factories in India or China. On both sides the spirit of exclusive nationality betrays itself in spite of truce and treaty. This spirit not only keeps the two peoples apart, it draws a line more marked still between individuals; an Englishman would feel humiliated at being called an Irishman, one of that nation which he is used to see treated in the London papers, as a nation of paupers and bigots. To call an Irishman an Englishman would be to offer him a mortal insult: you would see him gather himself proudly up, and add to the cry of Erin-go-Bragh! a curse upon the rapacious and odious Sassenach.‡

We may be allowed to wish for the day when this spirit of

\* "Ut non sit schisma in corpore, sed idipsum pro invicem sollicita sint membra. Et si quid patitur unum membrum, compatiuntur omnia membra; sive gloriatur unum membrum, congaudent omnia membra."—1 Cor. xii. 25, 26.

† Michelet; *Hist. de France*, ii. p. 128.

‡ "Saxon:" a name often given to Englishmen by the Irish.

mutual antipathy, this vigorous and lamentable national hatred, shall have waned before the influence of true charity. We may add, that the English could largely contribute to the fulfilment of this wish. At the present moment, however, sixty years after the union of the two parliaments, and forty-five since the financial union which was the corollary of the former, the mutual feeling resulting from that union is, according to the English papers themselves, one of constant irritation.

Not only is nothing done by the Protestant press, official or semi-official, towards reducing that irritation, but not a single opportunity is lost of aggravating it. To-day the Irish volunteers to Perugia and Castelfidardo are called cowardly mercenaries, and heartless buccaneers: to-morrow the sayings or doings of one of the most venerable prelates of the Irish hierarchy are the subject of the frantic declamation of tory or orange journalists: \* every day adds to the catalogue of fresh provocations, fresh irony, fresh insults: and, as on its side, the Irish press enjoys a latitude of expression of which it avails itself with both skill and energy, the daily war of the papers threatens to foment indefinitely the profound division of minds and hearts, already existing. †

It would not, then, be asking too much, to require for Ireland the benefit of an exact parallelism between the taxes paid and the purposes to which they are turned. On these conditions, she would probably put up more patiently with the boast made for her of her financial privileges, and would bring herself more easily to the enjoyment of what the *Times* gravely calls, "the blessings of the British constitution." ‡

\* [A characteristic instance is given, in the Appendix to the French Edition, in an article of the *Irish Times* of 13 Oct., 1860.]

† "The tone adopted by the English towards the Irish is always execrable, and the Irish answer contempt by threats." (M. J. de Lasteyrie, *Revue des Deux Mondes*. Dec. 15, 1860.) "People imagine that an insult loses its sting when flung at a whole nation. This is a pure mistake. This is the really odious conduct of England towards Ireland. She has literally overwhelmed her with insults, of which a solitary one would suffice to throw two nations into a struggle in which they would butcher one another to the last man."—Emile Montégut, *Revue des Deux Mondes*. June 1, 1855.

‡ "We exhort the Irish to reflect on *all the blessings they enjoy at home*" [!].—*Times*, June, 1860.

## CHAPTER IX.

### EXCEPTIONAL LAWS AND MEASURES TO WHICH IRELAND IS SUBJECTED.

It remains to speak of those exceptional measures which have so often modified in Ireland the usual operation of the constitution, and many of which are still in force. This inquiry will, we trust, convince the most prejudiced minds, and justify the persistence with which that country, still so far from being assimilated to the British Empire, calls for radical transformations.

Liberty in the matter of public meetings is enjoyed by Ireland and England; but the latter has a privilege of which an act of the thirty-third year of George III. deprived Ireland; namely, that of deputing representatives to act in the name of the body at meetings held in different parts of the country. This was made punishable by imprisonment and fine. In England even in times of great popular commotion,—as in 1848, in the midst of the Chartist agitation,—the government did not think itself powerful enough to deprive the people of a right so easily abused, and the promptings of political prudence yielded to the prerogatives of the nation. This same prudence judged very differently of the situation of Ireland, and forbade there under the heaviest penalties what could not be forbidden at home. That in times of popular commotion and irritation her governors, in not giving her the benefit of their right, only followed the dictates of wisdom and common sense, we are certainly disposed to admit. No one can expect the conqueror to give to the conquered the means of gaining his independence. Looking at this question from an English point of view, George III.'s ministers did well. If, however, we grant thus much, let it be honestly acknowledged that there are liberties in England to which *Ireland* is a stranger, by virtue of positive exceptions.

There is another exception, founded on the same reasons, establishing a serious difference between the English and Irish citizen.

The English are free to keep fire-arms, and to use them; to form volunteer companies, and to give and receive lessons in military drill. All this is denied to Ireland. A long series of acts of parliament limits and regulates, with special care, the

conditions under which fire-arms may be kept. To detail all these acts would be a tiresome and thankless task; besides, with few unimportant modifications, they are nothing but a repetition one of the other.\*

The following are the conditions prescribed by one of these bills (that of 1843) in order to obtain a licence to keep and use fire-arms:—

1. To have a certificate from two proprietors paying at least £20 poor-rate.

2. To produce this certificate before the justices of the peace in order to obtain their licence.

3. This licence obtained, to get the arms registered and branded by the police.

4. It is forbidden to part with or sell these arms, or to acquire new ones even by will or descent, without repeating the before-mentioned formalities.

Other clauses contained the punishment awarded to transgressors of these laws.

To give an inexact answer to a policeman questioning you concerning your having arms, or as to any circumstances connected with such fact, was an offence open to certain punishments.

To be possessed of a lance or a pike, or any other instrument capable of being turned to the same purpose, was a crime punishable with seven years' transportation.

The police could search any house, pointed out to them as suspected by a magistrate, at any hour of the day or night.

Smiths were subject to all these laws, both with respect to the making and keeping of any such arms.

By way of climax: if arms were found in a house or any of its dependencies, outhouses, poultry yard, &c., the occupant was to be found guilty, unless he could prove they were there without his knowledge—the most elementary principles of law current among civilized nations being reversed in this case.

A very ingenious parallel has been drawn between these laws and those dictated by the political shrewdness of the Philistines, when masters of Israel. "Now, there was no smith to be found in all the land of Israel; for the Philistines had taken this precaution, lest the Hebrews should make them swords or spears. So all Israel went down to the Philistines to sharpen every man his ploughshare, and his spade, and his axe, and his rake. So that their share, and their spades, and

\* This is what was said by Lord Elliott in the House of Commons when he brought in the bill of 1843: "It was substantially similar to what had been the law in Ireland for half a century."—Session of 19th June, 1843.

their forks, and their axes were blunt, even to the goad, which was to be mended.”\*

This famous Arms Bill of 1843 was all that Sir Robert Peel's cabinet did to conciliate Ireland. At the very same time, nearly in the same month, General Sir Charles Napier was winning, on the banks of the Indus, the decisive battle of Meanee, in which the Seiks, to the number of 25,000, were defeated by 3,400 men, of which body only 400 were Europeans; and these were all of an Irish Tipperary regiment.—“Beholding them from afar off, sustaining, singlehanded, all the brunt of battle—struggling, with unshaken gallantry, against countless hordes—then, shortly after, dashing forward, overturning everything, scattering everything before them, he could not restrain himself from crying out: ‘*Magnificent Tipperary!*’”†

Exploits like these, and countless others, which will immortalize the name and history of the Irish Brigade, were precisely such as to give rise to the rigorous measures brought forward by the minister of the crown. How could they allow men so brave to keep arms when in a state of such discontent? The only alternative was evidently either to do away with the causes of that discontent, and allow them the use of arms, or to continue all their grievances, and punish the unlicensed keeping of arms with the severest penalties: and as the English government could not make up its mind to redress these grievances, it was necessary to treat Ireland with exceptional severity, and give her a régime which makes her position with regard to England so humiliating.

Perhaps the rigour of these measures might be qualified by the consideration of the great popular excitement during the repeal year, and, later on, during the stormy days of 1848. For the last twelve years, however, Ireland is quiet, if not satisfied; the *Liberator* is no more, John Mitchel and his friends are scattered in exile: why, then, is Ireland still excluded from the pale of common law? why is she still excluded from a privilege which is the ground of a just national pride in Englishmen, as often as the phantom of a foreign invasion rises up before them?

We happened to arrive in London in 1860, on the very day

\* Porro faber ferrarius non inveniebatur in omni terra Israel. Caverant enim Philistiim, ne fortè facerent Hebræi gladium aut lanceam. Descendebat ergo omnis Israel ad Philistiim, ut exacueret unusquisque vomerem suum, et ligonem, et securim, et sarculum. Refusæ itaque erant acies vomerum, et ligonum, et tridentum, et securium, usque ad stimulum corrigendum.—1 Reg. xiii. 19-21.

† The Lord Bishop of Orleans' Sermon, at Saint Roch, for the starving Irish; 29 March, 1861; p. 14.

when a grand review of volunteers was being held in Hyde Park; all the men marched in good order, in the picturesque variety of their uniforms; all were animated with one feeling, and flattered in their warlike hopes by the confident appeal which the country had made to them. One could understand, one could see how much heart, devotedness, and patriotism existed in this impromptu army; and we were not astonished at the pride with which a few days afterwards the prime minister spoke, in our hearing, of this generous effort made by the nation in presence of a *very chimerical* danger.

Shortly afterwards the same scenes took place at Edinburgh, whither the queen and royal family repaired from Balmoral to witness a grand review of the Scotch "Rifle Volunteers;" and it must certainly have been a welcome sight to the sovereign of the United Kingdom, to behold the old feudal customs reviving under modern forms, the appeal to the mountain clans responded to, and that bold army marching past to the sound of the Scotch pipe, under their ancient banners.

Why has the country which has given to England generals like Wellington, Gough, Keane, the two Lawrences, Pottinger, Gillespie, Napier, and so many other valiant soldiers of the Indian army, been excluded from this great military and national demonstration? Why has the Phoenix Park not seen like those of London and Edinburgh, battalions of Irish volunteers, arming like the others, for the defence of the common country, and displaying (to the tune of St. Patrick's Day) those military qualities with which the Irish nation has been so visibly gifted? Who does not know that the children of Erin have proved their prowess on all fields of battle? Who knows not that every banner entrusted to their hands has received an additional halo of glory; the lilied standard of Louis XV. at Fontenoy,\* the Spanish banner at Tetuan and Tangier, our own tricolor oriflamme at Malakoff and Magenta, and still more lately the pontifical standard at Spoleto and Ancona?

It was for a moment believed in Ireland that there would be an end to this insulting exclusion. The walls of Dublin were covered with bills announcing that the minister of war, Mr. Sidney Herbert,† would accept the services of a body of volunteers: four hundred men were spoken of as already enrolled. The astonishment created by this news was short-lived. On the 10th July, a letter from the lord lieutenant announced that, "the government was not empowered to frame

\* The expression of George II. is well known, when he learned *who* conquered at Fontenoy: "Cursed be the laws that deprived me of such subjects!"

† Afterwards Lord Herbert, dying but a few months after his elevation to the peerage.



regulations for the enrolment and organization of Volunteer Corps in Ireland . . . it was not deemed necessary to alter the existing law."

This refusal was the more wounding, inasmuch as the committee, in order not to give a shadow of cause for uneasiness to the government, had ruled that the corps should be "exclusively composed of persons receiving salaries from the crown, or holding offices in the public service in Ireland."

A few days afterwards, one of the most justly esteemed as well as most influential Irish members, Mr. William Monsell, member for Limerick, protested against this insulting exception in the case of Ireland continued to be treated as a rebel country.\*

What was it but a new and insulting application of the formula which figures in the colonization acts of the 16th and 17th centuries, and to which we referred in our historical introduction—"NO IRISH NEED APPLY."

Other measures of the same stamp, establishing between England and Ireland a deep inequality, have for the last twenty years been frequently either hunted up amongst old traditions and acted upon, or carried by the ministers of the British crown. It is important to put in its true light the consequent contradiction (bearing with it, as it does, a serious lesson), that it seems as impossible to govern England without being constitutional, as it does to govern Ireland without putting the constitution in abeyance by exceptional measures.

It is often said that the British constitution is based upon trial by jury and the Habeas Corpus Act, as upon two firm rocks: now we know well enough what becomes of the former in Ireland, as often as the ministry thinks it its interest to influence the verdict; and with regard to the second, it is not so inviolable but that in all times of trouble, the Irish subjects of the crown are deprived of its benefit without the shadow of a scruple. Lord John Russell's "liberal" cabinet were authorized by parliament to set it aside in 1848, by a vote which was scarcely, if at all, contested; and the government agents were empowered to apprehend and imprison any one even *suspected* of complicity in the political agitation. Numerous warrants were then issued by the Castle, and arbitrary arrests were multiplied in every part of the country suspected of having most partizans of the national cause.

Here, again, it is easy to justify the conduct of the British cabinet by state reasons; but if political wisdom and prudence

\* "It was melancholy to think that while England and Scotland were allowed to join in the volunteer movement for the defence of the country, it should be considered necessary to prevent the people of Ireland from testifying their loyalty and patriotism in the same way (hear!)"—House of Commons, Aug. 10, 1860.

almost necessarily dictate such measures to the depositories of the executive power in troubled times, how is it that Ireland alone has constantly enjoyed the privilege of such exceptions? Why was it not considered imperative to have recourse to them in England and Wales during the time of the Chartists' movement? Or, if we are to acknowledge that the danger incurred by the British domination was sufficient to legalize the suspension of the working of the Habeas Corpus Act, what must we think of a domination which can hold its ground by force alone, and of a conquest so unstable, after seven hundred years, that it would be morally impossible for it to hold at all, were the country perfectly free to act?

Moreover, whenever state reasons interfere between the relations of governors and governed, everything bends under the action of their inexorable logic, and no principle, however respectable—no pledge, however sacred,—is allowed to interfere with that action. "The first of all laws," said St. Just, in a report of the committee of public safety to the national convention, "is the preservation of the republic." And for an English cabinet, no matter of what party, the first of all laws with regard to Ireland is, *per fas aut nefas*, to maintain English rule there. Is it at any time necessary to gag for a moment the press, or to violate the secrecy which protects private correspondence, however repugnant it be to the minister to trample on principles for which, were England and not Ireland in question, he would lay down his life,—the terrible state reason allows no hesitation, and turns into flagrant violators of liberty her sincerest and most disinterested friends.

The English have, then, no right to point to the constitutional guarantees which they give Ireland in ordinary times, since her history plainly shows that they suspend or do away with these guarantees whenever there is even a possibility of danger to their rule. Thus, as late as 1848, the crown proposed to parliament a law classing certain mere offences of the press with those of High Treason and Felony, so as to make them punishable by transportation! And it was by virtue of this law, for the passing of which men of all parties in England united, that the principal writers of the national party were arraigned, condemned, and punished, as though they had been convicted of belonging to ribbon societies, and had formed armed plots against the government.\*

If in this circumstance the English cabinet had with it public opinion, and that immense strength which the moral

\* Bill of treason-felony law, "for the further security of her Majesty's crown;" by which the "writing and printing, or open and advised speaking" of incitements to insurrection in Ireland should be deemed "felony," punishable by transportation.

support of the right-minded in a great country gives a government, would it not have sufficed to have put in force the ordinary laws; and what need was there to enrich the collection of Irish bills by a new exceptional measure?

As to the opening of letters in the post-office, what Englishman will consent to believe that this ignoble and unfair political measure is used anywhere except in the dominions of the Muscovite czar, and that whenever it was supposed to be necessary for "state reasons," this outrageous violation of natural secrecy has been one of the ordinary weapons of the English government in Ireland?

In 1844, it chanced to get abroad, that Sir James Graham, secretary of state for home affairs, had seized a correspondence of Mazzini, by means of which the English government informed the king of Naples of a plot about to be executed by the brothers Bandiera. Great was the indignation of liberal England on learning the account to which this dark and treacherous espionage had been turned. A parliamentary inquiry was set on foot,\* and the result was that the public emotion immediately subsided. The evil was not so great as had at first been supposed; for, with slight exceptions, it had been nearly exclusively confined to the administration of the *Irish* post-office only!

We have, then, thanks to this inquiry, on the irrefutable authority of a parliamentary document, the names of the personages who, in the name of the crown, granted warrants for the seizure at the post-office, and the opening and copying of private letters.

We must give the list:

- 1832. Marquis of Anglesey, Lord Lieutenant.
- 1834. Mr. Littleton, Secretary for Ireland.
- Marquis Wellesley, Lord Lieutenant.
- 1835. Earl of Mulgrave, Lord Lieutenant.
- 1836. Earl of Mulgrave, Lord Lieutenant.
- 1836. Mr. Drummond, Secretary.
- 1837. id. id.
- Lord Plunkett (one of the Lords Justices and Member of the Privy Council).
- The Protestant Archbishop of Dublin (also one of the Lords Justices and Member of Privy Council).
- 1838. Lord Morpeth (now Lord Carlisle), Secretary.
- 1839. Marquis of Normanby.
- Viscount Ebrington.
- General Sir T. Blakeney, Lord Justice.
- 1840. Earl de Grey, Lord Lieutenant.
- 1841. Lord Chief Justice Bushe.
- Earl de Grey, Lord Lieutenant.
- 1842. id. id.
- Sir E. Sugden, Lord Justice.
- 1843. Earl de Grey.

\* Parliam. Papers, Sess. 1845; *Despatches relating to M. Mazzini*; No. 190.

Thus, for eleven years, the year 1833 alone excepted, not a year passed in which the English cabinet did not issue one or more of these warrants.

Doubtless the lists would be considerably lengthened, were an inquiry instituted into the last fifteen years. The experience of the past, indeed, absolutely excludes the idea, that in the great crises of 1846 and 1847, and after the insurrectional movement in 1848, this convenient system of discovering not only the movements but even the secret thoughts of the citizens was not much more widely adopted.

Our exposé of the system of exceptional measures derogatory to the general principles of the constitution would be incomplete did we neglect to notice the *coercion bills*; a kind of martial law which is dealt out to Ireland by parliament for limited periods, and which invest the lord lieutenant with extraordinary powers, greater even than those enjoyed by the crown in England.\*

No less than *thirty-four* coercion acts have been passed since the beginning of this century. Here are a few articles of the law laid on the table of the house in 1846, at the beginning of the famine, by Sir James Graham.†

The contents of this bill had force of law in the whole country, or district, *proclaimed* by the lord lieutenant; *i. e.*, where he suspended the ordinary course of the constitution.

Every inhabitant of a proclaimed district found abroad an hour after sunset might be imprisoned, and kept in custody till his trial.

Any one convicted of the above offence was liable to fifteen years' transportation, unless he proved that he was abroad upon business allowed by the law.

The police might enter any house from one hour after sunset, until after sunrise next morning.

In case of murder, pecuniary compensation was to be made to the relatives of the deceased: for this purpose a tax was levied upon the inhabitants of the locality. The police might distrain for payment.

The law protected with a bill of indemnity whoever acted in virtue of this provision.

Would not many of these articles seem to have been taken literally from the ancient Saxon laws of Ethelred and Ina? It is to be remarked, however, that in these barbarous codes

\* The only difference is that the crown is irresponsible and inviolable, but the lord lieutenant of Ireland is obliged to answer to parliament for the measures he has taken.

† Some amendments were introduced in the course of the discussion. (Ray's *Report on Irish Coercion Bills*, p. 40 and 65.)

of the sixth and seventh centuries, it is the murderer who pays the "wehrgeld" to expiate his crime, and to requite the relations of the victim; but nowhere do we read that the inhabitants of a village, in which murder had been committed, were held responsible for it, and fell under the rigour of the law.

This bill, brought in by the tories, met with the stoutest opposition from the whigs. "It is full time," was the noble language of the chiefs of the latter party, and particularly of Lord John Russell, and Earl Grey; "it is time to have done with coercion; Ireland has been misgoverned: there have been too many arms' acts and curfew acts: it is justice that is wanted now." It was during this debate (March, 1846) that Lord Grey reviewed the history of all the martial laws and exceptional measures in force in Ireland from the time of the Union; reminding the house: how, in 1800, *Habeas Corpus* had been suspended under the action of a law, "for the suppression of the rebellion,"—how that law had been put into force both in 1801, and again in 1804,—how it had been superseded in 1807 by the "insurrection act," in force until 1810,—how, revived in 1814, it had been enforced during the years 1815, 1816, 1817,—how, renewed in 1822, and sanctioned successively by the parliaments of 1823, 1824, and 1825, it had, with only some slight modifications, been enforced in 1833 and 1834, and had ceased only in 1839.\*

"Why not strike at the root of the evil," said the illustrious orator, "by reforming the social condition of the people?"

In the House of Commons, Lord John Russell was neither less explicit nor less energetic in his speech against the tory proposition.

Despite all this opposition, the bill passed. Some months later the whigs were in power with Lord John Russell at their head; and at the very outset of the session they brought forward a new *coercion* bill, as much like the others, it was observed, as the carabine of one constable is like the carabine of another. The time was past for upholding in both houses "liberal" maxims, and for invoking justice instead of violence. Merciless state logic, and the necessity of holding at whatever price the fruits of an unstable conquest, prevented the whigs from respecting solemn engagements, undertaken before the country, and forced upon them the humiliation of publicly eating their own words, and of advocating those very exceptional measures to which they had shortly before offered such noisy opposition.

The coercion bill of 1848 was renewed in 1849, and again

\* Earl Grey; House of Lords; March 23, 1846.

in 1850; but in the latter year it appeared under a new name—crime and outrage act; and under this title it was prolonged, first for two years (1850-52); subsequently for two years more (1852-54), and again for another year (1854-55).

In 1856 the principal clauses of the "Crime and Outrage Act" were embodied in one bearing a less offensive title, and more in accordance with the demands of public opinion, unfavourable as that opinion is to the maintenance of exceptional laws. It was called "An Act for the better Preservation of the Peace in Ireland."\*

Thus from the time when union was officially proclaimed between countries hitherto estranged by political as well as by religious animosity, Ireland has been subject to one continuous régime of outlawry.

In 1860, the situation of Ireland having excited upon the continent, and in France particularly, the keenest interest and sympathy, official speeches, both in parliament and in political meetings, took a new tone in her regard—a tone assumed for the purpose of at once discrediting and contradicting the views put forth by what the *Times* was pleased to call, in its usual brutal fashion, the utter ignorance and bad faith of French scribblers on the Irish question.†

Whenever, during the session of 1860, Irish members put questions to the cabinet, or endeavoured to get for their country any measures alike equitable and reparatory, the uniform answer of ministers was: Ireland wants nothing, she is doing well, very well—she is in a peaceful and prosperous condition.

From these reiterated declarations, binding as they did the government, since they were a kind of answer to the continental advocates of Ireland, one might have supposed that the reign of exceptional laws would not outlive two-thirds of the nineteenth century, and that as the end contemplated in the "act for the preservation of the peace" had been attained, Ireland would again enjoy the benefit of common law.

Such a return to a normal state of things would have been but common justice, since the reports of the circuit judges testified to a marked *decrease* in the amount of crime against persons and property, and to the fact that in some counties there were no serious cases for trial at all.‡

\* Passed for two years (1856-1858), and subsequently for two other years more (1858-1860); since then again renewed, and even now (1862) in force.

† Several articles of the *Times*, in June, *apropos* of the excellent *brochure* by Mr. H. Marie Martin, upon the Irish Question.

‡ COUNTRY WICKLOW.—Spring Assizes, 1860.—Baron Greene, at that time second judge of the Court of Exchequer, to the grand jury:—"The offences on

This state of things did not prevent Mr. Cardwell, secretary for Ireland, and Mr. Deasy, attorney-general, from proposing, on the 12th of July, 1860, the first reading of a new bill, prolonging the provisions of the "Peace Preservation Act" for two years more (1860-1862).

Notwithstanding the late hour of the night, and the fact of

the calendar are neither serious nor numerous; the diminution of crime was progressive."

COUNTY LOUTH.—Mr. Justice Ball congratulates the jury upon the fact of the calendar containing but a few slight offences.

COUNTY LITRIM (generally notorious as being a hot-bed of Ribbonism).—Baron Fitzgerald (Court of Exchequer):—"Gentlemen of the grand jury, the state of the county is faithfully shown by the assize calendar, on which there has been but one serious case, and that several years ago."

COUNTIES LIMERICK, WEXFORD, ARMAGH, SLIGO, AND LONGFORD.—The same judicial testimony.

COUNTY CARLOW.—The Lord Chief Justice Lefroy (Court of Queen's Bench), is "glad to be able to say, that for the last six and twenty years never have there been fewer prisoners."

The county in which the calendar was heaviest this session was King's County, in which there had been two attempts at murder, and four attempts at burglary.

During the summer assizes, the juries of the different counties were congratulated in the same manner by the circuit judges.

In the County Roscommon the whole business of the assizes was despatched in four hours.

In the County Meath there was one charge of murder; nevertheless, the Lord Chief Justice rejoiced in the fact that the county presented no crime of an agrarian character. "It was perfectly free from agrarian crime, either a Whiteboy offence or an agrarian outrage.

At the Limerick city assizes, Judge Hayes (Court of Queen's Bench), is informed by the crown clerk that "there was no criminal business to be disposed of, and immediately after this announcement the sheriff presented Mr. Hayes, according to the touching custom, with a pair of white gloves."

In the King's County, the most heavily charged at the preceding sessions, Judge Keogh congratulates the jury that no serious crime had been committed since the last assizes.

The *Official Criminal Statistics* confirm this testimony in the most signal manner.

In 1850 condemnations were in the proportion of one to every 477 inhabitants; in 1854, one to 920; in 1859, only one to 1,930.—(Thom's *Off. Direct.* 1861, p. 707.) Nothing can be more eloquent than the testimony of such figures to the rapid progress of morality in Ireland during the last nine years.

This result becomes more striking, and acquires more importance when we compare the criminal statistics of England with those of Ireland during the year 1859.

Whilst, in fact, there was in Ireland only one condemnation to every 1,930 inhabitants, in England there was one to every 1,183 (population 19,745,000, condemnations 16,674). During this single year, moreover, England witnessed nine executions, in Ireland there was not a single one.—Thom's *Off. Direct.* 1861, p. 126.

We have quoted above the testimony all but unanimous to the peacefulness of Ireland by the circuit judges. During the same session, an English judge, upon the opening of the Liverpool assizes, was able to say, in the accents of sad truth—"With the single exception of treason, the calendar enjoys the unenviable distinction of embracing every crime under heaven which can render man obnoxious to the laws of England."—Baron Martin's charge when opening the summer assizes at Liverpool.

only seventy-two members being present, of whom a few were Irish members,\* this motion gave rise to a very warm debate. "Is not the time come," asked Lord Fermoy, "to put an end to an exceptional state of things, which is nothing less than a suspension of the constitution for Ireland? Are England and Ireland, then, to be ever governed on the same principles?"

"This measure," said Mr. Brady, member for Leitrim, "is not only useless, but it will be regarded by the Irish nation as an insult and a grievous wrong."

Other members (Messrs. O'Brien, Scully, Hennessy, Butt, Blake, and Sullivan) spoke in a similar sense: "What an outrage to Ireland," said the latter, "to answer by martial law the cries of distress coming from the famished provinces of the West."†

When called upon to state the reasons for which government thought a prolongation of exceptional rule in Ireland necessary, Mr. Cardwell alleged a murder committed in the county Mayo. "Is it not supremely unreasonable and unjust," replied Mr. Maguire, member for Dungarvan, "to put a whole country into the pillory, because a solitary crime has been committed there? Do not official statistics prove that during the last three years the comparative amount of crime has been considerably greater in England than in Ireland? Are the ordinary laws, and an army of twelve thousand police insufficient to maintain order and the public peace? If the government be so solicitous for Ireland, why does it not give proof of that solicitude by favouring measures for the amelioration of her social condition? If government wish to act vigorously, why does it not repress the insulting provocations, and violent proceedings of the orange lodges with regard to the peaceful Catholic population? Would not that be better than to propose a bill, the very introduction of which brands with infamy the whole of Ireland?"

These last words were loudly applauded. Lord Palmerston, however, supported Mr. Cardwell's motion with a persistence and energy indicative of the great importance attached by the cabinet to the adoption of this measure.

In vain did Irish members present prolong the contest until nearly four in the morning. The first reading was carried by a majority of fifty-three to fifteen.

The discussion of this bill was again taken up during the

\* See what we have said above touching the uniformly unfavourable circumstances in which Irish affairs are submitted to the consideration of the house.—Page 18.

† A partial famine had, during the spring of 1860, reduced to cruel suffering many districts of the counties of Kerry and Mayo, particularly at Belmullet, in the barony of Erris.



month of August. In spite of the continued opposition of the Irish representation, unanimous as it was in protesting that the country was calm, and the public peace sufficiently insured by ordinary law, the "Peace Preservation Act" was passed by parliament; so that sixty-one years after the Union Ireland has not yet begun to be put on a footing of equality with England. She is uniformly treated either as a rebel or as a suspected country; one which has not shown itself worthy of the privileges of liberty; a country in which order can be upheld solely by force; one for the peace of which reliance can be placed upon exceptional laws alone. \*

The conquest of Ireland was begun in the twelfth century. It would seem that to-day even that conquest is not definitely accomplished, and that the victor fears that, at any moment, she may slip from his grasp. Hence that system of distrust and legal precaution. Hence those measures subversive of the general principles of the British constitution. Hence that contempt of common right; hence, in fine, the maintenance of a universally visible inequality: an inequality in the sharing of public functions, in that of parliamentary rights, in the administration of justice, in the system of taxation, and in that reign of exceptional legislation which brands a whole people with suspicion, and perpetually thrusts upon it the fact of its being a vanquished nation.

The saddest grievance of Ireland is not, however, perhaps to be looked for among questions of a political or administrative character. That country knows other sources of suffering, deeper since they go to the very basis of social life; more formidable, too, since legislation is powerless against them, and since the good-will even of her governors, but too often quails before the might of ineradicable prejudice.

Among these questions of a different order, and, perhaps, in the first place among them is, that of landed property, and of the peculiar conditions attaching to its possession in Ireland.

\* Since the passing of the "Peace Preservation Act," the state of Ireland has not ceased to justify the energetic terms in which this measure was repudiated by her representatives. The assizes of 1861, like those of 1860, were but very slightly charged with crime. At Belfast, during the month of March 1861, Judge Hayes congratulated the jury upon the fact, "that, for the first time within the last fifty years, in the whole united kingdom, in Ireland the same judge had twice consecutively been presented with the white gloves." In the county Louth, Baron Deasy (the same who, as attorney-general, carried the last Coercion Act), upon receiving the white gloves from the sheriff, reminded the jury, that in 1814 sixty-nine criminal cases had been tried in that same county, in which, according to the Calendar of 1861, there was not a single culprit in prison. These satisfactory results, are confirmed by the Criminal Statistics of 1860, published by Mr. Corry Connellan, Chief Inspector of Prisons. The number of offences or attempts against the person, what was in 1859, 2242, in 1860 had fallen to 1941.

## BOOK THE SECOND.

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# LANDED PROPERTY.

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### CHAPTER I.

#### ITS ORIGIN AND HISTORICAL ANTECEDENTS.

Few countries in Europe are as fertile as Ireland. In none is agriculture carried on under such grievous conditions. In none is the numerous class whose labour, whose sweat, and whose whole life is devoted to it, condemned to an existence more precarious or more wretched. God seems to have done everything calculated to make that island and its inhabitants rich and prosperous; but the act of man has paralysed, as far as it could, the beneficence of God. That generous soil, eager to reward with usury the toil of the husbandman, everywhere bears the visible marks of unnatural poverty. The traveller, in crossing those plains, so marvelously framed in mountains, and watered by so many lakes and rivers, is astounded that human industry does not respond to the fertility of the earth, and that the gifts from on high are disregarded with such culpable neglect.

This is the sad contrast we have to explain, by a study of the régime to which landed property is subject, and by an exposition of the consequences of that régime to the soil, to the landlord, and to the cultivator. In other words, this inquiry will take in nearly all the relations connecting the different classes of society one with another; and nothing, indeed, is better calculated to give us an insight into the inmost life of the Irish people, and to lay completely open to us her manners and civilization, so different from those of the continent, and so deserving of the most serious and sympathetic attention.

We should understand nothing of the land question, were we to examine it independently of its historical antecedents: for, a knowledge of its origin helps to explain many of its anomalies, and foreshadows many of those abuses which must almost necessarily have resulted from the manner in which property was acquired in Ireland.

Let the reader, then, call to mind the sad vicissitudes undergone by Ireland during the last three centuries: her territory at many different times confiscated wholesale from the ancient and lawful owners: the mass of the native, that is, the Catholic population, incapacitated by law to possess landed property up to the end of the eighteenth century: the whole of the Irish soil, from the wars and confiscations of the sixteenth and seventeenth century, up to 1782, exclusively, in the hands of a Protestant oligarchy, alone authorized to possess: Catholics reduced, during this long period, to the condition of labourers and agrarian vassals of the creatures of Elizabeth, James I., and Cromwell (for such was, less than a century ago, the territorial condition of Ireland); Catholic ownership, in that Catholic land, being a novelty of yesterday.

The old Protestant oligarchy has not yet recovered from its surprise at having opened its ranks to these new comers—the outlaws and helots of yesterday; and in spite of the undoubted advance made by the latter, especially within the last fifteen years, it may yet be affirmed that the Protestants are still lords of four-fifths of the soil, and that, with a few exceptions, daily increasing in number, the mass of the Catholic population are at most but farmers of the land which they till.

The whole system of landed property in Ireland is still based to-day upon the conquests and confiscations of preceding ages; and if such be the origin of this system, we shall not be astonished at finding in its details deep and yet uneffaced traces of the violence and cupidity from which it sprung.

In France we have great numbers of small landowners, and among them many peasants. In Ireland, on the contrary, the land belongs to a real oligarchy. There are no small landowners. Estates of a moderate size have but just now been formed. The majority of cultivators work for others. The owners of to-day were mostly, three centuries ago, foreigners to the soil and race of Ireland. Those who to-day have nothing—who are but farmers or labourers, are nearly all the descendants of those families who lawfully held the land, before the confiscations of Henry VIII. and Elizabeth.

Thus it is that people have been able to say that in Ireland “the conquest was political, religious, and *ploutoïque* (mercen-

ary); and that the conquering nation seized everything—the country, power, manufactures, the land and capital.”\*

The question of land in Ireland is then inseparably connected with the political and religious antecedents which have effected it; and in this question, as in those of another order, difference of race and creed play a considerable part in the every-day dealings between landlord and tenant, gentry and peasantry. These observations will be but too fully justified in the course of this inquiry.

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## CHAPTER II.

### DIFFERENT KINDS OF TENURE.

IN Ireland there are three kinds of tenure:—

Tenure for ever.

Tenure for a certain period, fixed by leases, running from twenty-one, to sixty-one, and even to ninety-nine years.†

Lastly, tenure by the year, or at-will; in which case no lease is given, and which is less a tenure than a letting out of the land, revocable at the will of the landlord, by means of certain inexpensive legal forms.

Tenure for ever means, in fact, a right of ownership, subject to a life annuity: and this tenure is usually found among those only who are already owners in virtue of other titles‡

Tenure fixed by leases, frequent enough before the Emancipation, and at times when landlords had little to fear from the influence of Catholic tenants, is decreasing at the present day.§ Landlords, who encourage the progress of agriculture, and contribute most directly to the well-being and prosperity of the agricultural class, by granting long leases, are pointed out with praise, as honorable exceptions, unfortunately too

\* Robert-Guyard, *Essai sur l'état du paupérisme en France*, p. 24.

† In another class of contracts it is stipulated, that the lease shall run during the lives of three persons named in the deed. On the death of the last of these three persons, the lease ends. This is called a “lease for lives.”

‡ “A person having a lease for ever, is more commonly to be found in the class of landlords than of occupants.”—(*Digest of Evidence before Lord Devon's Commission*, Part ii. p. 1121.) This report of the Devon Commission is an official document of the greatest value, and most unimpeachable authority. We shall have occasion to quote it frequently in the course of this inquiry.

§ This fact has been stated to us by men of all parties in every province of Ireland, without exception.

little imitated. Wherever such leases are held, the peasant boldly embarks his labour and his capital, certain to be rewarded for the one, and to turn the other to account; and whenever a farm is seen in good order, a neatly built house, well-kept implements, the best methods of agriculture adopted, and the earth testifying by its fruitfulness to the intelligent and constant care bestowed upon it, one may safely affirm that these things are the results of a long lease. Is it necessary to add, that the landlord is not the last to profit by a tenure, which rapidly increases the intrinsic worth of his estate, and adds daily to the original amount of his fortune?

The ordinary kind of tenure, however, is that known by the name of tenancy-at-will; a kind of tenure which still exists, indeed, in England, but is gradually dying out there, being replaced by the lease system.\*

We must also take notice, that in England the manifest disadvantages of tenancy-at-will, which leaves the tenant almost completely at the mercy of the landlord, are in some degree lessened by the identity of race and creed, connecting the two classes *there*. We must likewise allow a liberal margin for those traditional habits of equity and kindness of which the British aristocracy is so justly proud, and which, in public morals, are stronger than any laws. According to the letter of the law certain abuses might be committed, which are, in fact, impossible, because they have against them the might of public opinion, a power which, to the honor of the English nation, no one braves with impunity.

In Ireland, on the contrary, notwithstanding the great progress made there during the last twenty-five years by this same power of public opinion, it is as yet very considerably weaker than the prejudices or habits of ages. It alleviates, it is true, by its protests, those abuses of authority which this mode of tenure makes so easy to landlords. It does not, however, prevent them. Has it diminished them either in number or intensity? The question is a very doubtful one. So much is incontrovertible, that public opinion sees them in existence to-day, and knows that they are continually adding to the already too numerous causes of mistrust and ill-feeling which in Ireland divide the ancient class of the vanquished from those whom the fortune of war has there invested with power and wealth; and it would be impossible to travel a fortnight in Ireland without every instant coming in contact, even in

\* M. Léonce de Lavergne: *Essai sur l'Economie Rurale de l'Angleterre, de l'Ecosse, et de l'Irlande*, p. 120.

the most fertile parts of the country, with one or other of the fatal results of this system.

As there are few countries offering, in their different parts, such striking contrasts as does Ireland, so there are few of which it is more important to have travelled the whole, if one does not wish to come to narrow, incomplete, and consequently inexact conclusions. If, for instance, having only travelled through Connacht, with its wretched bogs, you had seen nothing but those miserable cabins in the midst of them, where it is so difficult to believe that human beings can live, Ireland would certainly appear to you inferior, as a country, to some of the South Sea Islands, in which the savage has at least a healthy and spacious hut, and supports his family comfortably with what falls to his arrow and his line. Connacht, however, and its exceptional wretchedness, is not the whole of Ireland. To apply to the whole island what would be strictly true of the north-west alone, would be to fall into exaggeration and inaccuracy; it would be much the same kind of thing as to judge of France from the single department of the Landes. But we must also say, with the Bishop of Orleans, that people must not confine themselves to viewing Ireland from the windows of a castle, nor be satisfied to judge her, as people are too often pleased to do, solely by the cottages surrounding Dublin,\* or the justly-celebrated landscapes of the Lakes of Killarney.†

We believe that an infallible means of obtaining an idea of this country, alike just and free from every kind of exaggeration, is, to see and note down on the spot the abuses of ownership and their results in those counties which occupy the mean between the exceptional and slightly factitious wealth of the suburbs of a great city, and the exceptional misery of a region where the land is yet untilled. We repeat, then, that it is unnecessary to go very far from Dublin, or to make any long excursion into the neighbouring counties (taking, for instance, the direction of Cork, and passing through the counties of Kildare, King's County, and Tipperary), in order to be able to appreciate by its consequences the system of *Tenancy-at-Will*.

Let us enter upon an examination of this system, in order to see in what it consists; what rights it gives the landowner; what security it gives the tenant; and, lastly, what is exactly the nature of its influence upon agricultural industry, and upon the general situation of the country.

\* Sermon of Bishop of Orleans upon Ireland, p. 45.

† The only part of the island visited by Queen Victoria during her journey in August, 1861.

## CHAPTER III.

### TENANCY AT WILL—ITS CONDITIONS.

IN the system of tenancy-at-will, which is the most common, the following are pretty much the circumstances in which and the conditions under which the contract is entered into between the rich landlord, or his agent, and the poor peasant, who asks for a strip of land to till.

With very few exceptions the landlord hands over to the in-coming tenant nothing but the naked land, without a house, without stock, without agricultural implements, without any of the materials for working it.\* It is the tenant that has himself to find all this. The landlord makes no advance of capital, and confines himself to fixing the rent, and exacting it according to the terms of the agreement.

The acceptance by the tenant of the terms offered (to which are usually added many local taxes bearing directly upon occupation of land†) is generally the sum of the contract between him and the landlord.

The obligations of the former evidently come to very little; indeed it is difficult to see any duties imposed upon him proportionate to the powers held by him. As for the tenant, regularity in paying the rent agreed upon, and the fulfilment of the other conditions attached to his holding, are no certain guarantee for the future. He is but a *tenant-at-will*—that is to say, that at two fixed epochs in the year, provided he has received a notice six months in advance, regularly served upon him, he may be evicted and replaced by another, at the mere arbitrary will of his landlord.

Numerous laws have been enacted, during this century, for simplifying and shortening the legal proceedings by which tenants-at-will may be evicted; for example, in particular, the laws passed in 1816, 1820, and 1836. They have very considerably increased and strengthened the powers of landlords, by extending to rents amounting to £50 those dispositions which were previously applicable only to £20 holdings.‡

\* *Digest of Evidence*, &c., p. 1122.

† See above, Book i., ch. vi., County Cess.

‡ See Acts 56 George III., cap. lxxxviii.; George IV., c. xli.; 6 & 7 Will. IV., c. lxxv. (*Bichino*, an English Protestant; and the *English Law Magazine* of May, 1841.)

Nothing better shows the precarious situation in which this system of tenure places the majority of the agricultural class in Ireland, than the custom kept up by a large number of landlords of serving their tenants every six months with a notice to quit, reserving to themselves the power of not enforcing it; simply to keep their tenants at their mercy every moment of the year. An English commission had already loudly stigmatised this proceeding, and had pointed out its deplorable consequences to the agricultural future of the country.\* But in spite of this protest, and the inevitable disadvantages resulting from such a system, this custom is still in force; and renting of farms, which of its very nature ought to be one of the most stable of contracts, becomes nothing more than a short leasehold, the longest term of which is six months.†

The right of *eviction*—or, according to the term in vogue in Ireland, the right of *extermination*—has for the last twenty years been the cause of the greater part of those abuses, and of that misery under which Ireland has been sinking. We shall presently see that this right frequently plays a part in the relations between landlord and tenant, despite the efforts made, even lately, by parliament to afford a certain amount of protection to the Irish landholder.

The general absence of leases, and the consequent uncertainty of tenure, would of themselves suffice to paralyse all agricultural enterprise, and to confine the industry of the cultivator to a narrow sphere of timid and superficial operations.‡

\* “We have to notice a practice, which prevails in some parts of the country, of serving periodically notices to quit upon large numbers of tenants, holding from year to year; not with any fixed intention of proceeding upon such notices, but in order to keep up a continual power over the tenant, in case he should not pay his rent, or should otherwise misconduct himself, and which may be acted upon from caprice, or in case of any offence given by the tenant in some matter wholly unconnected with the occupation of his land.”—*Digest*, &c., Devon Commission, II. 1136.

† In order to give an idea of this extremely precarious position, M. de Raumer, a German publicist, endeavours, in an account of a journey made by him in Ireland, to make up by a combination of German roots a word exactly equivalent to the expression “tenant-at-will.” “How shall I translate this word?” he asks. “Shall I say *serfs*?—no; in feudal times, the condition of the serf was to be attached to the soil, and in nowise to be driven off it. A vassal of those times would be a lord compared with the *tenant-at-will* of Ireland, to whom the law affords no protection. Why not call him ‘the hunt-off-able?’ (*wegjagdbare*.) There is even here a difference, which lessens the analogy; for the game laws prevent the hunting of hares, stags, and does during certain seasons of the year, whilst tenants-at-will are lawful game the whole year round. And, if one of them was disposed to defend his farm—whilst the fox and badger are supposed to defend their cover—that would be termed ‘*rebellion*.’”

‡ “The uncertainty of tenure is constantly referred to as a pressing grievance by all classes of tenants. It is said to paralyse all exertion, and to place a fatal impediment in the way of improvement. We have no doubt that is the case in many instances.”—*Digest*, &c.; p. 1122.



In what undertaking, indeed, of any length, or involving any expense, would one be disposed to embark time and capital, with the prospect of a possible eviction at the end of six months, without even being sure of harvesting the wheat which had been sown?

This uncertainty of yearly tenure is very far from being counterbalanced by a moderate rate of rents. Land in Ireland is, doubtless, no longer the object of that extravagant competition on the part of the poor peasantry which was witnessed until within a few years ago. This is owing, in great measure, to the excess of the emigration movement during the last fifteen years;—numbers of sturdy labourers left and still leave every week Dublin, Cork, Galway, and Liverpool, either for North America or Australia. But if there are fewer farmers to struggle for a strip of land, there is scarcely more manufacturing activity than formerly; and it is still true to say the mass of the people have no alternative between tilling the land or becoming the prisoners of legal “charity” in the workhouses.

Competition has fallen off. But monopoly is as strong as ever. And since tilling is the only way to a livelihood, the tenant does not wait to discuss the conditions offered to him. It is much less a bargain driven, than a treaty; or, better, a capitulation submitted to: hence, in very many cases, the rent is out of all reasonable proportion to the real value of the land, as it appears by the official register,\* and that notwithstanding the inadequate resources at the disposal of the tenant for the cultivation and improvement of the land rented. It is only then by hard work and constant privation that he can at all meet his engagements.

At the same time, therefore, that the absence of a lease deprives the tenant of all kind of security, it lays him completely open to the arbitrary exactions of the landlord or his agent. Consequently, besides the ever-present prospect of possible eviction, which has rendered proverbial, among the Irish peasantry, the sad saying: “Here to-day, and gone to-morrow,”† the tenant is exposed to have his already exorbitant rent perpetually raised, as well as the burden under which he is already giving way.

The arbitrary raising of rent is to the Irish tenant a permanent source of indefinite misery, the original amount of the rent being frequently more than doubled, and this precisely in proportion to the increasing value which his labour gives to

\* Griffith's *General Valuation*.

† Letter of Mr. Maguire and the O'Donoghue, M.P.s, to Mr. Cardwell, Secretary for Ireland.—(*Freeman*, 12th November, 1859.)

the land, and to the increase made by his sufferings and his sweat in the fortune of his landlord.

Spenser, as early as the sixteenth century, pointed out the close connexion existing between this indefinite and arbitrary raising of rent, and the tenant-at-will system.\* Where a lease is granted, the rent is fixed for a certain number of years, and on the renewal of the lease is only raised in proportion to the supposed increase in the value of the land, and the profit made by the tenant. Under the other system, the rent may be changed every six months; and as eviction is to the tenant the worst of all evils, he is, as a rule, obliged to submit in silence to every kind of exaction.†

It is but too easy to show that this tradition is as vigorous as ever, and that it continues to paralyse all the efforts of the tenant both to improve the land and to better his condition. But three years ago, on many estates in the county Donegal, the rents were suddenly doubled, and even tripled.‡

Hence it results that in the case of large numbers of tenants not only are they in no way induced to improve their farms, by capitalizing their profits and employing better methods of agriculture, but on the contrary everything dissuades them from a course calculated only to aggravate their wretched situation. The increase of rent being, in fact, ordinarily quite out of proportion with the results obtained, it is evident that the work of the cultivator simply enriches his landlord and impoverishes himself. His farm is more productive, it is true, because it has been better looked after; but he is worse fed because his burdens have become heavier: he daily spends

\* "The reason hereof is . . . for that the landlords there use most shamefully to racke their tenants."—(*View of the State of Ireland*, p. 504.)

† Among a very curious collection of pamphlets, put at my disposition with extreme kindness by Dr. Madden, of Dublin, (author of the *Lives of the United Irishmen*), I came upon a kind of permanent tradition touching this matter. Swift says in one of them, that "*rents are squeezed out of the very blood and vitals of the tenants.*" At the end of the same century, 1787, the attorney-general, John Fitzgibbon, declares that, "*the peasantry are ground down to powder by enormous rents.*" In 1812, Wakefield, who travelled through Ireland, and studied with particular care the relations between landlord and tenant, affirms that in no country in the world are tenants so ground down (ii. 795). See, too, upon this point, Gordon's *Hist. of Ireland*, i. 241; Newenham's *Inquiry*, p. 15; Dr. Woodward, Dean of Clogher, *Argument for the Support of the Poor*, p. 15; Curwen, *Observ. on the State of Ireland*, p. 38; Arthur Dodd's *Essay on the Trade of Ireland*, ii. 80; *Parliamentary Reports of Committees of 1825, 1830, 1832*; Wiggins' *Monster Misery of Ireland*. Dublin, 1843, &c.

‡ On one of them the rents were only raised a third. The way the agent went to work is, however, worth mentioning. The usual rent was two pounds an acre. When the farmer presented himself, a receipt for three pounds an acre was handed over to him. This was to serve for the next rent-day, and to be considered the basis of the fresh conditions.

himself and his toil without benefitting either himself or his family by his unremitting labour. Common sense, then, tells him to do no more than is strictly necessary to meet engagements, since he reaps no benefit either from his labour or his outlay. It is easy to see, that such being the case, the arbitrary raising of rent is a double-edged sword; it cuts the very men that wield it. A landlord who supposes he is increasing his fortune by doubling the rent of his tenants, simply puts an effectual check upon every improvement by which his estates would have gained.\*

People have no adequate idea of the immense loss sustained by the whole of Ireland in consequence of this deplorable system of rent-raising. In 1844 the *Edinburgh Review*† affirmed that the cultivated portion of Ireland did not produce one-fourth of what it might with good farming, neglected as it was by the cultivators, for fear of an immediate rise in the rent.

Two years back, one of the most eminent prelates of Ireland, Dr. Keane, the Bishop of Cloyne, showed, in a celebrated pastoral letter, the amount annually lost to the country in consequence of the difficulties thrown in the way of agricultural progress.‡

\* "The rent is advanced as the unfortunate tenant advances his improvements. The value of the work of years, nights of care, and days of toil, is taken away in an instant by a stroke of the pen, and the oppression of the producer continues, while the country around him wears as the result of his thrift and enterprise an altered aspect."—(*Dublin News*, 9th March, 1860.)

In one of the northern counties, a poor tenant whose rent was being continually raised, and who was worn out with trying to satisfy there perpetually recurring exactions, went one day to complain to his landlord. "You might as well cut off my head once for all," said he, "as to treat me like this." "I won't cut off your head, my boy," said the landlord, "but I'll shave you as close as possible."

† January, 1844; p. 197.

‡ The writer translated this letter in the *Ami de la Religion* of 20th May, 1860. The Bishop of Orleans quoted several passages from it in the Appendix to the printed edition of his Sermon at St. Roch, on the 25th March, 1861. In that letter the Bishop of Cloyne observes, that authorities differ on the figures expressing the proportions in which the annual value of agricultural produce should increase in Ireland; but whether, according to the highest calculation, it ought to double what it is at present, or, according to the lowest, increase by but a third or a fourth, it is easy to see that the annual loss is enormous. According to the *Official Statistics*, published in Dublin, the mean value of agricultural produce, not including live stock, rose from 1851 to 1857 to fifty-five millions sterling; and he calculates that taking the loss at but one-fifth of the annual value, that loss would be to Ireland eleven millions sterling during those seven years. And in fact, he adds, what farmer would dream of employing laborious and costly means of draining and reclaiming his land, or of increasing the productiveness of that which is already good, by applying a better system of cultivation, if his only recompense is sure to be but a notice to quit, or an increase of rent on his farm? Under protecting laws the most ungrateful land would become a garden; under defective laws a garden will become a desert. If the income of Ireland increased by several

In certain counties where the country is too poor, and the lots of land rented are too small to allow of cash payment, the rent is paid not in cash but by days' work. In the county Mayo we saw miserable strips of bog land of not more than two acres let at the rate of three days' work per week. Leaving out Sundays and certain festivals, this would amount to about one hundred and fifty days' work per year. Supposing, on an average, a day's work to be worth sixpence (and this is certainly the lowest figure), we should get a rent of from 36 to 37 shillings per acre, whilst in the most fertile counties an acre of good quality lets for scarcely more than a pound sterling.

In other cases days' work, and certain other services in addition, are added to cash payment of the rent.

Generally speaking, in this kind of relation between landlord and tenant there is nothing fixed and definite. The simplest course is for the latter always to submit to every requirement of the former, even supposing such requirement to be based upon no positive law. In such cases, moreover, the law interferes only with the utmost repugnance, for fear of appearing to encroach in the slightest upon the rights of property. Even supposing the law to offer certain security to the tenant, what, as a matter of fact, becomes of such security when the administration of the law is in the hands of the landlord himself, or of his agent, holding, as they usually do, the commission of justices of the peace?

It is, therefore, true to say that nothing more strongly conjures up the darkest memories of the old feudal tyranny, in its most grinding and degrading features, than the uncontrolled authority conferred by the traditions of conquest and confiscation upon the Irish landlord over his tenant. This is what was but lately said in a public letter to Lord Derby by a former member of parliament, a liberal Protestant, who, for twenty years, had the honor of standing forth as the champion of the poor Catholic farmers against the intolerable exactions of their landlords.\*

millions sterling, concludes the bishop, it would be for the proprietor a security for his rent, for the merchant an increase of prosperity, and lastly, for the farmer, whose lot has been so long neglected, a just compensation for their expenditure of capital and of toil. Let us add, with Dr. Keane, that Ireland would not be the only one to profit by this progress, but England too; the latter is the manufactory—the former the market. The richer Ireland is, the greater will be her demand for those stuffs, that furniture, those machines which are manufactured only in England. The latter will only benefit, therefore, by the development of Ireland's resources.

\* "I maintain that the landlord of the present day has not a commission to act the autocrat, and to revive the extreme power of the feudal tyranny of

This accusation is but too fully justified by facts of recent date; by facts which the organs of English opinion in France could only have denied either by sacrificing truth, or by refusing to enter into any examination of the information that was at hand.

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## CHAPTER IV.

### POWERS AND RIGHTS OF THE LANDLORD.

IRISH landlords are empowered to enforce among their tenantry local police regulations having no connexion whatever with the care of their farms or the cultivation of the land. These regulations strike into the inmost recesses of family life, and are, therefore, instruments of a despotism more formidable, and more dangerous, than the public and official despotism of the sovereign of a great state: more formidable since the landlord is in more continual contact with his victims; more dangerous, since everything at once serves and screens him, and because working within the narrow limits of private property, he avoids that noise and notoriety which, in default of a conscience, would stay the hand of more than one guilty master.

Who would believe that on the estate of one of the richest landlords in the south of Ireland tenants are forbidden to offer hospitality even to their nearest kin; and that they cannot marry without an authorization from the noble lord on whom they depend, or rather from his agent!\* This nobleman usually resides in England, where he is deservedly considered a very humane, just, and benevolent landlord. In vain did the parish priest protest against a regulation so strange, and so outrageously in violation of the rights of the man and the Christian: in vain did he affirm that since the introduction of that measure the standard of morality had fallen in a very

ages long past over the abject slaves of serfdom". (Letter of Mr. William Sharman Crawford to Lord Derby, 13th November, 1859). Mr. Sharman Crawford died in the month of October, 1861, universally regretted by his fellow-citizens.

\* "They have been made keenly sensible of this abject dependence by certain rules and regulations which are now enforced on this estate. By these rules no tenant can marry or procure the marriage of his son or daughter without permission from your lordship's agent, even where no change of tenancy would arise". (Petition of the tenantry of Lord Lansdowne, in the Irish newspapers of April, 1858.)

marked and deplorable manner: in vain did the tenants petition their landlord, pointing out and demanding the redress of these abuses. The only answer they received was that their petition had arrived in London, and had been read; and these police regulations continued to remain in full force on this estate.

A few months later the press exposed the existence of similar regulations on a large estate in the county of Mayo (near Ballina).\*

In the month of October, 1860, a wealthy landowner of county Galway sent to a Dublin paper a list of the tenants whom he had considered it his duty to evict, stating, in each case, the ground of eviction. In this list we read, as plainly as words can make anything plain, that one of the offences for which Michael Cavanagh was evicted by his landlord (Lord Plunket, the Protestant Bishop of Tuam) was, that "contrary to the rules of the estate, he has his son-in-law living with him."†

Perhaps it will be said that these abuses are the exception, and that it is unfair to insist upon them when tracing a picture of the condition of landed property in Ireland. To represent the *entire* tenant class as living under these abuses as an ordinary rule would be decidedly unfair; and we are eager to be first in anticipating the objection. There are in Ireland, thank God, many landlords animated in regard of their tenants with the most liberal and benevolent intentions; who, if they at all revive old feudal traditions, adopt in them only what is fatherly and Christian in their conduct towards families so nearly dependant upon them for their livelihood. But having made this reservation, due to justice and good faith, and confirmed by our personal recollections of visits made to many such estates, it is our duty to show that abuses of authority, such as we have mentioned above, are possible; that they still frequently occur; and that no protection or guarantee is offered to the oppressed by the general legislation of the empire. Our readers will kindly do us the justice to remark that our qualification of these abuses is singularly temperate, when compared with the indignant complaint uttered by the *Times*, on the subject of property in Ireland, on an occasion on which

\* "A social tyranny unknown in the worst days of feudal bondage is enforced by landed satraps. *The tenant cannot give in marriage a member of his family without leave from the lord of the manor.*" (*Nation*, 24th July, 1858.)

† Letter from Lord Plunket to the editor of the *Freeman*, 20th October, 1860.—We shall have to return later on to this document and to the whole subject to which it refers; a subject which made considerable noise in England and Ireland, and even on the Continent.

it did not make even the reservation just made by ourselves. "Property is there ruled with savage and tyrannical sway," was the language of that paper in an article of the 25th February, 1847, "Landlords there exercise their rights with a hand of iron, and disregard their duties with a forehead of brass."

Free to fetter with regulations even the domestic affections of the hearth, the landlord can, without overstepping the bounds of his most formal rights, deny to a district the benefits of education, or subject it to conditions such as Catholic populations cannot possibly accept. There is, in fact, no law obliging a landlord either to sell or let a piece of land for a school; and there are landlords who forbid their tenants, under pain of eviction, to let a house for this purpose.

There is already, it is true, in such and such a village, a school built and supported by that great society\* of Protestant propagandism, which has taken upon itself the task of snatching Ireland from the darkness and superstition of Popery.

The alternative put to tenants in regard of the future of their children is evident: they must choose between ignorance and apostacy. They are even fortunate if a threat of eviction does not enter into this matter of conscience; a threat which, without leaving the tenant free to accept ignorance for his children, would oblige him to choose between crime and pauperism.

In a poor parish, among the mountains of Donegal, where we met with the kindest and most cordial reception, there are about three hundred children old enough to profit by instruction. The parish-priest has in vain tried to establish a school under government, upon the national system. The four landlords, masters of the district, refused a grant of land. The consequence is that an entire generation will grow up in ignorance, exposed almost inevitably to all the fatal consequences which it bears with it. We here see the worth of the hackneyed declamations of the orange and ultra-Protestant papers, when they accuse the Irish Catholic clergy of wilfully keeping the people in darkness and degradation.†

Two years ago another landlord, of the barony of Erris, (county Mayo), forbade his tenants to send their children to

\* "The Church Education Society." This society, of which more hereafter, has its head quarters in Dublin (Kildare Place). It directs and supports 1615 schools, admitting to them a total of 78,487 children, of whom, according to the official report of the society, 11,963 are Catholics. The society is presided over by six Protestant Bishops. (Thom's *Official Directory*, p. 1192.)

† The village in question is the village of Falcarragh, a few miles from the little town of Dunfanaghy, between the mountains and the sea. This village is in the neighbourhood of Gweedore, of the trials and extraordinary miseries of which, during latter years, we shall shortly have to speak.

the national school. To assure himself whether or not his order was respected, he visited the school, looked over the books, and in some cases, in which he had been disobeyed, visited with immediate eviction the boldness of those poor peasants who were unwilling to deprive their children of the priceless treasure of education.

If sectarian fanaticism can carry a landlord to such lengths as to make him refuse a piece of ground for a school, still more obstinately will it stand in the way of grants without which a parish would have no chapel. It is undoubtedly true that upon this point great improvement has been made during the last thirty years; and the contrast strikes very forcibly those who have lived long enough to make the comparison between the two epochs. The rule in those days—an almost total absence of country chapels, implying the necessity of celebrating Mass either in the open air or in the most decent and central cabin of the parish—has now become the exception. Thanks to the influence acquired by Catholics, and the boundless generosity with which even the most destitute among them subscribe for the erection of chapels;—thanks also (and it would be unjust to overlook this part of the matter), thanks to the general prevalence of a spirit of tolerance, equity, and respect for the sacred right of conscience, a spirit which thirty years ago met with no favour, and was banished from social usages;—Ireland has become covered, as though by enchantment, with churches and chapels; and the number of districts deprived of them is daily diminishing.

It is not, therefore, to the general existence of the abuse, it is to the possibility of its revival, and to the all-powerful protection enjoyed by it under the landed property code, that we wish to draw attention.

Cases have then occurred, in which, despite the evident wants of an entire Catholic population, the landlord has obstinately refused a grant of land, although everything was ready for the construction of such a building as would enable Catholic parishioners to fulfil the religious duties of the Sunday, without exposure to the rigours of the weather, or without being forced, in spite of age and infirmity, to make long and toilsome journeys to fulfil those obligations.

We know of one rich landlord, of the county Armagh, upon whom a deputation of his tenants waited two years ago, for the purpose of soliciting a grant of land for a similar object. "I cannot in conscience comply with your request," replied this Protestant gentleman;—doubtless, a disciple of the school of Mr. Spooner, who yearly renews in parliament his manifesto and his complaints, and enters a periodical protest against



the "*national sin*" committed by government in endowing the Catholic College of Maynooth.\*

In the month of June, 1860, a refusal of this kind induced one of the Irish members to appeal to government. In a small town of the county Galway, numbering two thousand inhabitants, nearly all Catholics, there was but one little chapel, capable of holding only sixty persons. The inhabitants of this town heard Mass as a rule exposed to the wind, the cold, or the rain. Frequently the priest had to officiate in the open air with the aid of a provisional altar erected in the market-place; thus laying himself open to the severity of the English law, which visits with a fine of £100 any Catholic priest found in public wearing the sacerdotal vestments.† A petition had been forwarded to the landlord, a young cavalry officer, who receives no less than £3,000 yearly from this estate. He refused any grant of land, stating that he saw no necessity for granting the land asked for, since there were in the suburbs of the town chapels at which his tenants might hear Mass.

If this appeal was attended with no positive results, it served at least to show up one of the most revolting abuses of power of which an aristocracy of foreign importation could possibly be guilty—an aristocracy, moreover, which holds the lands it possesses in virtue of religious wars;—and it called forth the strongest remonstrances on the part even of many Protestant members. These protests will yet serve as landmarks in the history of liberty of conscience. They do great honour to those by whom they were uttered in the British parliament, and give to the censure of a Catholic writer and a priest an authority which no one will contest.‡

It is a pleasing duty, after an enumeration of such samples of intolerance, to have to do public homage to that aged Protestant bishop, upon whom (twenty years ago) the parish priest called to solicit the grant of a piece of land very advantageously situated, in the opinion of the whole parish, for the

\* More ample details upon this point will be found in the treatment of the Irish Church question; *post.*

† "At present, about 800 or 900 people were to be seen every Sunday, bare-headed outside the chapel, in all weathers, and the priest exposed himself to a penalty of £100 every time he appeared, as he was obliged to do, in ecclesiastical vestments in the open street."—(Speech of Mr. M'Mahon, member for Wexford, June 29, 1860.)

‡ Colonel French (Roscommon), said "that no one ought to be allowed to refuse accommodation for the erection of a house for the public worship of God, and he hoped that this would be the last case of this kind which would come before the house (hear, hear.)" Colonel Dunne expressed his "belief that almost every Irish gentleman would think it disgraceful not to afford to his friends and neighbours every opportunity for worshipping God according to their own faith (hear, hear.)"—(House of Commons, 29th June, 1860.),

construction of a church. The request was graciously received by the high dignitary; the parish priest was invited to dinner on the morrow, and after doing the honors of his table, the bishop got a deed of sale of the land required drawn up. He made a "fee-farm grant" of it in perpetuity to the Catholics (equal, as we have above stated, to ownership), at the nominal rent of one shilling per annum. Is it possible to disguise more delicately and ingeniously the generosity of a gift so much enhanced by the hand from which it came, and by the purpose for which it was bestowed?

This fact, indeed, is not the only one to which we might call attention as doing honour to that enlightened and liberal fraction of the Protestant aristocracy which allows no opportunity to escape it of mitigating, by the most benevolent and noble-minded acts, the painful remembrances of conquest and confiscations; thereby labouring to bring about that peaceful conquest of hearts, without which brute force and armed authority are singularly powerless.

Is not, however, the loud approbation attendant upon each fact of this nature a significant commentary upon the general state of ideas and maxims upon this point? Does it not manifestly prove that such acts of tolerance and kindness are not the rule in the ordinary dealings of the Protestant aristocracy with the Catholic population; and that here, as well as in the political questions previously examined, we must take into account the religious and social divisions which bring into a collision prejudicial to both the Protestant English and rich portion of the population and the Celtic poor and Catholic natives? Moreover, the deeper these divisions the greater the claim upon our respect of those who endeavour to do away with them, and who by simple rectitude and honour rise above all the prejudices of education, religion, and party. These are, indeed, the peace-makers, in the true and full Gospel sense of the expression. They work to bring about peace;\* and their efforts are seconded by an irresistible power, that of justice and mercy combined. May this disinterested homage rendered to such efforts spur on these generous men in a course in which all must wish that they could draw the whole aristocracy of Ireland after them. For in soliciting, as it is our duty to do, reforms in the government, in the administration, and in the laws, we are aware that these reforms, supposing them granted, could not so strike at the deepest springs of the evil as to ensure a radical cure. Such a cure depends upon a power of a different order: it depends upon spontaneous efforts made in the

\* *Pacificus; pacem facere.*

cause of justice and charity, in the daily dealings of man with man. Efforts such as these alone can consecrate and consolidate the improvements effected in institutions by time and by the political wisdom of statesmen. Without them, the best of institutions would simply be the letter without the spirit which quickeneth, and would consequently be powerless to repair evils accumulated during ages of misrule, and to renew the face of a great country.

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## CHAPTER V.

### ABSENTEEISM.

THE vast size of estates in Ireland, and the relations of most landlords with England, often their adopted, when not their native country, give the landlord but few opportunities of treating in person with his tenantry. His authority is usually vested in an agent, who settles in his name the conditions of tenure, receives the rents, and in a word, superintends all the interests of the estate.\*

The position of the agent was especially important at a still recent date, when landlords visited their estates but rarely and hurriedly, and knew very little more about them than that they were situated in such and such a county, and that they brought in so many thousand a year.†

Scarcely had Ireland been conquered, divided, and handed over as a prey to the lucky barons of Henry II., and a few centuries later to the soldiers of fortune who had in that wretched country glutted the vengeance of Elizabeth, Cromwell, and the Protestant parliaments, than the scourge of *Absenteeism*‡ was added to already existing sources of oppression and misery, and was considered an evil grave enough to call for the interference of princes and legislators on more than one occasion.

On these occasions, not only was complaint made of the injury done to Ireland by the systematic absence of those who lived at her expense, gave her back no share of the immense

\* *Digest of Evidence* ; ii. 1137.

† "The conquerors from England have at all times looked upon Ireland as a foreign and hostile country, in which it was good to have possessions, but not to settle down."—(Léonce de Lavergne, *Economie Rurale de l'Angleterre de l'Ecosse et de l'Irlande*, p. 394.)

‡ This word is now established by the usage of all publicists who have written of Ireland.

incomes received, remained indifferent to her interests and her trials, and who neither attempted to mitigate the awful consequences of war, nor to forward civilization in that country; but even as early as the fourteenth century, rigorous measures were taken against "*absentees*."

Thus Richard II. unhesitatingly asked his parliament to make a law—which law was passed with quite as little hesitation—"obliging all persons who possessed lands, rents, or other income in Ireland, to reside there, or else to pay a tax to the amount of two-thirds of their Irish revenues."\*

In the eighteenth century, during lord lieutenant Earl Harcourt's administration, a bill, similar in nature, was presented (1773) to the Dublin parliament, "to lay a tax of two shillings in the pound on the income of Irish absentee landlords, who would not reside in Ireland at least six months in each year."† Historians tell us that this was a very popular measure, and one that made the viceroy a great favourite who originated it. The bill, however, being presented for adoption to the very men against whom it was to act, was thrown out.

Under the administration of the late Sir Robert Peel (1841-1846) a new tax was levied upon the income of absentees.‡ The evil continued, notwithstanding; and during the horrors of the great famine, people were made sensible of the damage done to a country by an aristocracy having no direct personal relations with the classes below it. During this period, too, the absence of the aristocracy rendered heavy, indeed overwhelming, the burthens of those landlords who, unflinching in the performance of duty, stood at their posts in the midst of a people decimated by that visitation, and honored themselves by sacrifices which, in such crisis, are the only privilege to which the great and powerful have a claim.§

\* Law of 1377. (Haverty, p. 303.)

† Haverty, p. 704.

‡ Irish proprietors, living in England, were obliged to pay the *Income Tax*, if they did not prove that they resided the greater part of the year in Ireland. Since the *Income Tax* was extended to Ireland, however, absentee proprietors have ceased to be subjected to any exceptional tax.

§ A few quotations, taken from a very curious collection put by the chief editor of it, Mr. Jonathan Pim, a wealthy and honourable Dublin merchant, with the most delicate kindness, at the author's disposition, will enable the reader to judge of the fatal results of a system condemned in very strong terms by M. Gustave de Beaumont even before the famine had laid the sore bare. They consist of the reports of the benevolent Association formed in 1847 by the Quakers of Ireland, England, and America, for the purpose of assisting the districts suffering most severely from the famine. In all quarters the envoys of this charitable association bear witness to the general absence of persons belonging to the higher classes of society, and show in detail its deplorable results.

"COUNTY OF CORK.—As not a single resident landlord is to be met with in the whole of this Electoral Division, the committee can only hope to sustain

For the last twelve years many of those obstacles have disappeared which might possibly have given a colour to the repugnance evinced by the great landlords for living in a country troubled by strife, where life was not in safety; and still it is perfectly true that the richest and most influential members of the Irish aristocracy reside more in England than in Ireland, and that when we estimate at £3,000,000 the total amount of rents paid by Ireland to non-resident landlords, by which she gains positively nothing, we are much below the mark.\*

For the rest, it is easier here to point the evil than to suggest the remedy. Although the tax upon absentees, enforced for the first time in the fourteenth century, has been introduced and approved from the time of Richard II. down to that of the late Sir Robert Peel,—and by men not at all to be suspected of ideas subversive of society—men in whose company we might calmly meet all imputation of socialism;—still it is repugnant to our principles and to our habits of liberty that taxation and the arm of the law should be allowed to check the personal freedom, and to interfere with the private life, of the landlord. It is true that the landlords neglect an important duty in remaining all but strangers to the land from which they draw their fortunes; but we should be sorry to see landlords, either Irish, English, or French, absolutely bound to residence under pain of a fine. We should fear, and rightly, that any such legal obligation would be to those affected by it but another pretext for the oppression of their tenantry. Besides, what advance towards the desirable conciliation of two hostile classes could possibly be made

the sick from the charity of strangers.”—(Letter of the Correspondent sent into the county of Cork. *Transactions of the Central Relief Committee of the Society of Friends, during the Famine in Ireland, in 1846 and 1847.* Dublin, Hodges and Smith; 1852; p. 212.)

“COUNTY OF DONEGAL.—This parish contains upwards of 10,000 inhabitants. Of the fourteen landlords to whom the ground belongs, there are but two resident.”—(*Ibid.*)

“COUNTY OF CAVAN.—This district is especially desolate, from there being no resident gentry in the parish.”—(*Ibid.*)

“COUNTY OF MAYO.—All the landed proprietors of this poor parish are absentees; there has not been a farthing received from any of them.”—(*Ibid.* p. 214.)

These quotations might easily be multiplied (*Transactions, &c., Appendix iv.*; “Extracts from the letters of country Correspondents, showing the general non-residence of Landed Proprietors,” p. 212 to 216). These same reports testify also, that in every instance the whole burthen fell upon those proprietors who were compelled by the smallness of their fortunes to reside on their properties, and whose moderate incomes were insufficient to assuage the wretchedness by which they were surrounded.

(See, also, another work of Mr. Jonathan Pim, in which the question of the famine and its results is most conscientiously examined—*Condition and Prospects of Ireland.* Dublin, 1848.)

\* Some economists estimate it at £5,000,000.

by relations into which fear of the tax-gatherer would enter much more largely than love of his kind, and in which the landlord would know, to within a penny, the price of his presence among his tenantry?

We are, consequently, far from disposed to consider an absentee tax as a remedy for absenteeism; and if we speak of it, it is less with a wish to see it re-enforced than to do the English government justice by a statement of the measures it has taken, at different periods of its history, for the eradication of an abuse so fatal to Irish interests.

In order to put an end to absenteeism and its dire consequences it is not enough that Ireland now present conditions of safety which were wanting to her a quarter of a century ago. If the most influential members of the aristocracy are to be induced to make it their ordinary residence, and to turn to the improvement of their vast estates their whole activity and energy, Ireland must be able to offer them the attractions of society and of political life. Otherwise, it is easy to conceive that the ambition of the nobility will decide for London in preference to Dublin; and for an important government position in preference to a career honourable, indeed, but necessarily retired and devoid of political influence. Now the Union of 1800 has done for Ireland very much the same kind of thing as the increasing progress of centralization has done for our French provinces. The parliaments and universities formerly made of our great cities centres,—secondary, indeed, but important;—where sterling and respected influence might be acquired and exercised, whether in the magistracy, in letters, or in the ranks of landed wealth. In our days this strong provincial life has died out, and, with it, abuses which it is impossible to regret; but with these abuses have also disappeared many sound liberties and healthy traditions, which have sunk down to the standard fixed by central authority for the purpose of securing general uniformity, and of drawing the life-stream from the extremities to the heart, without guaranteeing a corresponding flow from the heart to the extremities. Accordingly men say now that there is no living away from Paris; and that life in the provinces is but an exile from which to escape as soon as possible,—through which the public functionary passes unwillingly, rapidly, consoling himself for the distance still between him and the capital, by the hope of eventually finding there that life of action and influence in which the provinces can no longer take part, save so far as to feel its power.\*

\* “Political life is almost extinct in the provinces; excepting during the temporary excitement of elections, there is no sign of any such thing. Intellectual activity in the provinces is gradually collapsing; all men of ambition

We have only to point out one essential difference. Although Paris has no right to say: "I am France," she is, notwithstanding, one of the most French of our old cities. But who could discover Ireland in London, except it be in the tainted courts, and filthy lodging-houses of Whitechapel? We are not, therefore, surprised to hear Ireland complain that England draws away her landlords and drains her of her capital, without giving her in return anything more than a crowd of English Protestant functionaries, for which Ireland is the finest and richest of preys.

## CHAPTER VI.

### AGENTS.—THE CROWBAR BRIGADE.

THE great landowner, who does not work his estates himself, is represented by his "Agent."

A secondary personage, when compared to the landlord, the agent is frequently, as far as the tenants are concerned, the real master, since, practically, it is upon him that they depend, and to him that they usually look up as the immediate arbiter of their fate.\*

Wakefield, who made a two years study of Ireland before writing his valuable work, puts us in possession of some curious but sad revelations touching these Agents of the great landowners. "They are people," says he, "who, without the least fear or shame, practise the most barefaced corruption. I know cases in which the first question put by the agent to a tenant asking for a lease was, and how much do you mean to give me?"

Was it enough to pay the agent alone? No. If he were married, money must be given to his wife and daughters. If he were unmarried, money must be given still.†

Wakefield wrote in 1812, and it might reasonably be supposed that in half a century the progress of publicity, and the

or talent desert them. . . . Every time you appoint an auditor sub-prefect, or a journalist professor of a faculty, in the provinces, these gentlemen evince the greatest repugnance, and sigh at being sent into exile."—(Count Montalembert; Speech in the Chamber of Peers, upon the bill for the fortification of Paris. March 31st, 1841.)

\* "Digest of Evidence of Lord Devon's Commission;" 2nd part, p. 1137.

† "Wives, daughters, mistresses, all receive money."—(Wakefield; *Account of Ireland*, I. 287.) "In former times, the practice of accepting bribes and gratuities, by agents, bailiffs, and others connected with the estates, was frequently denounced, and was, we fear, too general."—(*Dig. of Evid.*; p. 1138.)

increasing severity of opinion, would have rendered impossible such scandalous abuses.

Recent facts go, however, to prove that they are still repeated in practice.

But two years ago the agent of a wealthy Kerry landlord informed the tenants that leases might be had on application at his office. The tenants took advantage of the invitation; and we subjoin an instructive Table\* of the sums which the poorest amongst them had to give in order to obtain a lease. If we add to them the amounts given to the agent's *lady*, they exceed, in many cases, the rent itself. Besides, nothing is better calculated to expose the arbitrariness of these acts of the agents. One tenant paying nine pounds rent was taxed as heavily as another whose rent amounted to £14.

	Amount of Rent.	Amount given to Agent for Lease.	"Pinmoney" (bribe to the agent's wife).	Total.
1st Tenant, . . .	£ 14	£ 2	£ 5	£ 7
2d " . . .	7	4	2	6
3rd " . . .	28	3	7	10
4th " . . .	9	2	5	7
5th " . . .	3	5	"	5
6th " . . .	3	5	"	5
7th " . . .	3	2	4	6
8th " . . .	13	2	6	8

The system of tenure-at-will opens a wide field to the arbitrariness and venality of agents. A tenant manages his farm well, and pays his rent regularly; his farm is coveted by one richer than himself, who buys the favour of the agent with hard cash: the former receives notice to quit, and the latter takes his place.†

It is needless to add, that the existence of such abuses in no way serves the interests of the landlord, although it is for the people a cause of intolerable and humiliating oppression.‡

It happens sometimes, however, that in the dearly bought lease there is a flaw. When such is the case the landlord, or his agent, takes advantage of it without the slightest scruple, in

\* Taken from the *Morning Chronicle*, of 17th Jan. 1860.

† "Turns off the best and most improving tenant, to substitute some knave who has given the agent, or some member of his family, £30, £40, or £50." Wakefield adds, but the fact appears to us quite an exceptional one, and we can really hardly credit that anything of the sort can occur in our times: "And I know cases where the tenant, after bribing the agent in this manner, could not still get his lease, without bribing the proprietor's lady."

‡ This is what was complained of by a wealthy landlord of the county Cavan, in a letter published by the *Dublin Telegraph*, on the 23rd of Jan. 1852.



order to break through his engagements. At the time when Wakefield wrote, he says that: "the custom of taking advantage of such mistakes is so general, that to break a contract of this kind in Ireland was not considered the least violation of honour."\*

In daily intercourse with the tenantry, since he lives in the midst of them, the agent enjoys an amount of power which if not tempered by kindness justice and urbanity is more formidable to the tenant than that of the landlord himself. The Ulster papers mentioned lately with honour the name of an agent of one of the richest landowners in Donegal, who gave up his place because he saw that he was the instrument of an oppression against which conscience obliged him to protest.†

Such examples are, however, rare. During the same year, in the same county, another agent of a large landowner said of the peasants whom he ruled: "You might trample on them like grass on the wayside, and they will grow up like weeds."‡

This odious saying falls certainly upon no one except the wretch who uttered it: but if we compare this expression with certain traditions concerning the official harshness and contempt with which the "wild Irish" were spoken of (for which we refer the reader to the Historical Introduction,) shall we not be justified in looking upon it as but a continuation of that haughty and domineering spirit which affects to despise this unfortunate agricultural class, both because it is not English and because it has held fast to the Catholic creed?

Other abuses, inherent in the administration of agents, are pointed out by Wakefield, which have not as yet completely disappeared, although they are certainly much less frequent, and can only be looked upon as sad exceptions doomed to skulk in the dark, and no longer compatible with the dignity of landlords. We mean certain business monopolies at the absolute disposition of the agents, by virtue of which all liberty of commercial transaction is proscribed from one end of an estate to the other. Suppose the agent to have a friend, or partner, in the butter or cattle trade, the tenants must sell the produce of their farms to him and to no other. Suppose they want objects of the most ordinary and primary necessity—bread or clothes for example—the agent's baker or clothier is at hand, and must be resorted to. By arrangements entered into be-

\* Wakefield ; I. 244.

† *The Landlord in Donegal* ; by D. Holland ; Belfast, p. 13.

‡ *The Landlord in Donegal* ; p. 73.

An Englishman, thirty years agent of several large estates in the north and south of Ireland said "that the tenant is generally at the mercy of the agent, whose principal business seems to be to grind the highest possible rent out of him."—*Wiggins' Monster Misery of Ireland* ; 1843 ; p. 16.

tween him and the dealer,—himself frequently a tenant, holding his farm on these conditions,—the agent receives a certain percentage upon all such sales. Even the public-house, where poor Pat occasionally loses sight of Father Matthews' temperance code, is a kind of official public-house. It is kept by a friend or creature of the agent, and the latter exacts a dividend upon the profits made upon drunkenness.\*

Possibly, too, the favour which protection until lately enjoyed, was an excuse for the establishment and continuance of village monopolies, which added one more to the already numerous slaveries of the Irish peasant; but it is in vain that the Protectionist system has yielded to the doctrines and practice of Free-trade: there are still in Ireland localities in which *Free-trade* is unknown.

We ourselves saw in Ulster a rather curious application of this shop-despotism. The population of the village of which we speak, as well as of the whole surrounding district, is exclusively Catholic. The landlord and his agent will allow but one baker's shop there. The privilege of keeping it has been granted to a Scotch Presbyterian, who is at the same time the recognised liquor-vendor. A monthly fair is held in this village to which all the neighbouring peasantry resort for the sale of their cattle, poultry, and farm-produce. One of them thought to do a little business on these occasions. He got a spirit licence,† and rashly set about building a house. He was ordered at once to give up his undertaking. The landlord formally announced his intention of allowing no shop in the village but that of the Scotch baker. Notwithstanding this injunction, however, the peasant was bold enough to open his shop and to begin trade. He had, however, no lease; the fatal notice was served upon him, and he had to leave, and sell, at a loss, the provisions and liquors which he had laid in. Two others tried the same thing, and met with the same fate. The Scotchman is protected from competition. What does the immunity cost him?—and what share of this lucrative monopoly does he hand over to those who grant it? This piece of information we were unable to come at. The inhabitants only suffer from this arrangement, by having to put up with barley bread any day the Scotchman does not happen to bake.

When a landlord refuses a grant of land for a school, the fanatical portion of the press accuses the Catholic clergy of keeping the Celtic populations of the mountains in gross

\* Wakefield's Account of Ireland, I. 299. (We must not forget that Wakefield is an English Protestant; that his book is a great authority; and that no one of his statements has yet been refuted.)

† The licence is granted by the magistrates of the district.

ignorance. These journals also represent the Irish peasant as being the author of his own misery: "he is so idle," they say; "he is so incapable of getting on." This is precisely what two young Englishmen in whose company we travelled upon a jaunting-car among the rugged and picturesque wilds of Connemara, told us. We were passing by some wretched, ruined cabins, and these gentlemen laid before me in a few words the axiom from which the landlord system in Ireland starts:—"The landlords of this country," said they to us, "are very good, and do everything to encourage their tenantry; but the Irish peasant won't work, and people are obliged to get rid of him."

Delicacy, we suppose, prevented these two Englishmen from stating aloud before us their opinion upon the part taken by the Catholic clergy in the formation of the wild habits of the Irish peasantry. In return we respected their artless simplicity, and did not undertake to show them that the glorious constitution under which they had the happiness to be born was far from having accomplished in Ireland that mission of civilization, on the sluggishness of whose progress in the other countries of Europe British ministers expatiate with so much eloquent indignation.\*

If then the Irish peasant rarely attempts the most modest undertakings of business or of local manufacture, the cause of this timidity is evident. He enjoys neither liberty, nor security; nor has he a chance of success. Who indeed, being a yearly tenant, at the mercy of the landlord, or his agent, would, for the sake of a doubtful gain, run the risk of all but certain ruin?

Under the agent, or general bailiff of the estate, there are two minor functionaries, whose work is a corollary of the right of eviction, and consists, almost exclusively, in the enforcement of that right. We mean the *process-server* and the *driver*. The *process-server* depends, it is true, upon the landlord, not in his capacity of proprietor, but in his quality of magistrate. It is he who serves tenants with notices to quit, an office which is no sinecure, since we saw above that a certain number of landlords regularly serve these notices upon their tenantry, simply to have them always at their mercy.

\* We are by no means the first to testify to the almost incredible ignorance of many even perfectly educated Englishmen, on the social condition of Ireland, and of the real causes of her misery.—See particularly one of the works previously quoted; Jonathan Pim, *Condition and Prospects of Ireland*, p. 4.

In 1846, Lord Fitzwilliam hesitated not to say in the House of Lords that "Ireland was a country of which Englishmen were exceedingly ignorant. It was a mirror in which England did not very well wish to look; but from which she ought not to shrink, although she might see in that mirror much cause of regret, and much cause of shame."—(House of Lords, 23d March, 1846.)

As to the *driver*, his name sufficiently bespeaks his occupation. He it is who seizes the cattle if the rent be not regularly paid.\*

The driver also plays a part in the execution of eviction-warrants, when the moment is come to drive out of their cabin and off their farm the evicted tenants..

Usually these minions are insufficient for the accomplishment of their task, for there is generally more to be done than to throw out on to the roadside the furniture of the poor cabin, or to wrap up in the bedclothes some poor woman, trembling with fever, and to lay her down on the top of the ditch; a business not too much for two men. But there are often houses also to be entirely demolished, and there is an exasperated population to be intimidated and restrained. Constables must then be called in, to lend a strong hand to the drivers; and if it be necessary regiments of the regular army will shoulder their arms at the request of the sheriff. Crowbars and levers to bring down the dwellings of the "legally" evicted peasant; bayonets, to overawe the desperate crowd; such are the necessities, such frequently the regular apparatus accompanying the execution of sentences against the farmer. Popular indignation has branded with an ignominious title the whole body of those personally engaged in this brutal work—sheriff, bailiffs, drivers, constables, soldiers,—all are comprised in the energetic and but too well deserved appellation of the "*Crowbar Brigade*."

Over 282,000 dwellings, either houses or cabins, destroyed; such, according to official documents, are the services done within the years 1841 and 1851 by an army which, thank God, stands alone in the world.†

The reader here comes upon an undoubted difficulty, and one too serious not to require a full and detailed explanation. What relation can possibly exist between the eviction of a farmer, and the demolition of his dwelling; above all when,

\* *Distress for rent.* On large estates there are "pounds" in which the seized cattle are kept. These are open air enclosures of dry walls, without any roof. The tenants have to feed the cows or pigs detained in pound. If the rent be not paid within a month after the seizure, these animals are sold.

† "Various returns which have been called for, by Parliament and by the authority of this Commission, show a formidable number of ejectments served."—*Dig. of Evid.*, p. 1134.

These are the statistics, according to official returns, of the number of tenanted dwellings in Ireland:—

In 1821	.	.	.	.	1,142,602
" 1831	.	.	.	.	1,249,816
" 1841	.	.	.	.	1,328,839
" 1851	.	.	.	.	1,046,294

The precise figure would therefore be 282,545.—(Thom's *Off. Direct.*, 1861, p. 78.)

as we stated above, the naked land alone was the matter of the agreement between the landlord and the tenant; and when the latter has, at great outlay of labour, brought together the stones and rafters of which his cabin is built? Can we then look upon the right of eviction as anything more than the indefinite prolongation of that system of confiscation which seems to sum up the gross of England's policy in Ireland? How has the British legislature been able to tolerate the existence of so manifestly iniquitous an abuse, and to stoop so far as to sanction with the authority of a civilized government, what is in truth neither more nor less than a legal brigandage totally subversive of the rights of property?

This question is as vast as it is vital.

It is the one question which shows in its broadest light the position, unique in the whole world, in which the agricultural classes are placed in Ireland.

A bill passed towards the end of the session of 1860 has slightly modified the ordinary legislation on this capital head. Let us, in the first place, state what that ordinary legislation was, and what were its consequences previous to the introduction of this bill. Afterwards we shall examine the dispositions of the bill of 1860, and sum up the results which it appears to us to have attained.



## CHAPTER VII.

### CONFISCATION BY LAW.

LET us bear in mind that usually the landlord in no way helps to cover the first expenses of the in-coming tenant. Here is an acre of land, hitherto uncultivated. Often, indeed, it is a detached patch of mountain heath, or a strip of land upon a bog. The peasant begins by putting up a cabin: he then sets hedges, digs ditches, strikes out water-courses. Already perhaps it is no longer that piece of wild unproductive heath, into which he was the first for many a year to drive his mattock or to run his ploughshare. If, during this period, the rent has either not been raised, or raised moderately and proportionately to the profits of the farmer, he looks the morrow boldly in the face, forgets that the security of his tenure is guaranteed by no lease, or trusts that his landlord will take into consideration the improvement of his estate. A rather better year comes, one in the course of which a more abundant harvest, or possibly

stricter economy and fresh privations, have enabled the farmer after having paid the rent to lay by a few pounds. He will possibly venture so far as to treat himself to something less wretched in the way of a dwelling. He replaces the mud cabin, which so badly protected his children and himself from the wild gusts of the west wind, by a substantial house, which he slates. A pretty cottage has risen up by the side of the patch of heath which was the primary matter of the agreement between the landlord and the tenant. But suddenly circumstances change; a bad year comes on. The farmer finds it impossible to meet his obligations at the appointed time. Perhaps the property has changed hands, and the new master has already promised the farm to another tenant. Possibly, too, parliament has been dissolved: and the farmer has considered it his duty to vote against the landlord or the landlord's candidate. "If so, he has not overstepped his right; but the landlord in his turn has the right of evicting him, and of this right he makes unhesitating use."\* This tenant is then, accordingly,—to use the legal jargon,—“served with a Notice to Quit.”

But he will surely be indemnified for the expense gone to *in* and *upon* the estate? That cabin, or that slated house, those stout hedges, those cattle pens, those artificial meadows, that drainage, must have entailed on the too confiding tenant an outlay of several hundred pounds, which will enable the landlord to triple or quadruple the figure of the rent paid at the outset. You evict the unfortunate man, to whom no written deed secured a guarantee for the future; a man who counted solely upon your honour and probity; at least you will not allow him to be at the loss of the outlay made by him? You will indemnify him, and you will not suffer that after having enriched you by his labour and privations, he shall be reduced to beggary, or to the necessity of knocking at the workhouse door?

Now, up to the bill of 1860, the landlord's right was sanctioned by law, in the most absolute and totally unrestricted manner. Eviction entailed the legal confiscation of everything forming part of the estate. Whether it were a matter of a wretched cabin, requiring only a few applications of the lever to bring it down, or of a house worth £800,† the proprietor was, in no way, bound to indemnify the tenant whom he was ruining and reducing to hopeless wretchedness: and in virtue of the same justice which had made Englishmen and Scotch-

\* M. De Beaumont; I., 216.

† As in a recent case of eviction and confiscation in a little town of Ulster.

men lords of the ten-elevenths of the soil, the landlord took possession of the farm, stables, barns, and plantations which had perhaps doubled the value of his estate, and upon which he had not laid out a single farthing.

Certainly in presence of such a "right," if the profanation of the word be allowable by an application of it to such an abuse of authority and power, no one can be astonished at the indignant exclamation which it lately forced from a wealthy Protestant landlord, when he stigmatised it as "simple robbery, committed under the name of law."\*

This system has fallen however under a more solemn condemnation from those high courts of justice which pronounce finally upon all cases of eviction and confiscation. Under circumstances similar to those above mentioned upright magistrates, called upon to decide between their conscience, and the letter of the law, obliged to do violence to the former in order to respect the latter, have been heard to declare before God and man, that they WERE COMPELLED TO ADMINISTER INJUSTICE.†

To be obliged by law to administer that which it is the divine mission of law itself to combat and destroy! To sit upon a justice-seat, to be called to pass sentences commanding the respect of all by their harmony with the principles of eternal equity, and to confess loudly, that one is forced to become the organ of injustice! Is there any conceivable position more strange and more cruel! Never was a grinding and barbarous system the object of a more blighting condemnation! What an eternal brand seared into that legislation by two solitary words, before unheard of in the mouth of a magistrate: We administer injustice!

Last year the Lord Chancellor himself, that is to say, the first and highest interpreter in Ireland of English law, gave a similar decision, accompanied by a like protest. Natural equity was for the tenant, nor did the landlord's counsel deny a single one of the facts put forward as a ground for indemnity. (It was a matter of a £1000.) They confined

\* Mr. William Smith O'Brien; *Letter to his Grace the Archbishop of Tuam*; (Tuam Herald, 15th Oct., 1859.)

† Remarkable words of the Right Hon. Thomas Berry Cusack Smith, Master of the Rolls; words frequently quoted since 1858. We give the very words used by this magistrate. "He regretted much that he was *compelled by law thus to administer injustice*. The turning out the tenant without giving him compensation appeared an oppressive proceeding; it was repugnant to the principles of common justice; and he thought that the case was one that could be relied upon during the next session of parliament, in support of the principle of tenant's compensation." The value of the improvement made by the unindemnified tenant was, in this case, £500. (Rolls Court; Sitting of 3rd Nov., 1858.)

themselves to a simple appeal to the formal provisions of the law: and, as that law was perfectly unequivocal, the Lord Chancellor was obliged to give the benefit of it to him who claimed it, unable to do more than express his regret at being obliged to do so. Once again, among what people in the world could one have found so flagrant a contradiction of justice and legality?\*

It is unfortunately patent that this arbitrary coupling of the right of eviction, strictly inherent in the plenary rights of property with the legal confiscation of all that the evicted tenant has built or set up at his own expense, has been playing an important part, especially during the last twenty years, in the system carried on in so significative and terrible a manner in Ireland. Not only was there nothing to arrest landlords in this course of destruction and depopulation,—but more than once they have been enticed to it by the rude bait of easy and profitable confiscation; for we may affirm that, had landlords been forced by law to indemnify tenants for an outlay, by which the land and consequently the estate alone profited, the number of evicted families and of ruined dwellings would have been very considerably reduced.

Such a legal barrier did not exist; and up to the measure of 1860, the most lamentable facility existed for landlords and speculators of sweeping off Irish families by hundreds and thousands, and covering that unfortunate country with those ruins upon which the traveller through it lights at every step.

Two principal causes have during these latter years produced wholesale evictions. On the one hand, the famine; which totally ruined numbers of small farmers, and drove either to America or to the workhouse: on the other, the application, especially since the cessation of the rigours of that terrible famine, of new doctrines of rural economy, to which several Irish landlords unchecked by scruples have sacrificed the future and even the very existence of many thousands of families.

\* “It is a hard case on the tenant, and I would gladly relieve him if I could.” (Court of Chancery, May, 1860.) (See Appendix, No. 4, for the details of this important affair.)



## CHAPTER VIII.

### CONSOLIDATION OF FARMS.

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#### § I.—SUBSTITUTION OF PASTURE LANDS FOR CORN FIELDS.

"It is a well established truth of economy," says M. Gustave de Beaumont,\* "that the same amount of land, which, when sowed with potatoes supports twenty persons, would, if sown with corn, support only five or six; and if turned into pasture land would support but one."

From this truth, it results that the substitution of pasture land for corn fields necessarily involves a considerable decrease of the agricultural population. By one of these methods of farming, a hundred persons are supported where, by the other, twenty only could be fed. What is then to become of the other eighty? It is clear enough; they are driven off.

The "Consolidation of Farms" is the technical term applied to that process by which this substitution has been effected on such a vast scale in Ireland, especially within the last fifteen years.

The same system was adopted of old in Italy, and a review of its social and political effect on the Roman republic will not be without its interest.

Serious study of the constitution of that republic has shown how for two centuries before the Christian era the absorption of small by great estates, and the substitution of pasturages for cereal growing lands, had rapidly brought the almost total extinction of the middle class; and how these causes had contributed, nearly as much as the ambition and jealousy of political leaders, to bring upon that republic a century of civil wars, had crushed liberty, and had founded upon its ruins the despotism of the Cæsars.†

Cato the elder had laid the foundation of this agrarian revolution, big with so many future political and social revolutions, without foreseeing the fatal consequences of the principle he adopted: for if large landowners sweep off freemen and

\* Vol. II., p. 106.

† M. Victor Duruy: *Histoire Romaine*, vol. ii., p. 45, et seq. "Latifundia perdidere Italiam."—(Pliny.)

replace them by slaves, it is because the kind of cultivation considered by them most profitable requires but few hands. Now, the oracle itself has said: pasturage is more profitable than crop-growing, since cattle costs less, and brings in more than wheat.

Cato was asked one day "What ought the father of a family to be if he consulted the best interests of his property?" "A good cattle breeder," was the reply. "What comes next in importance?" "The middling cattle breeder." "What next?" "The bad cattle breeder." "Fourthly?" "The husbandman."\*

The rich patricians applied these principles with stern rigour: pasturages spread in every direction; and where a numerous population had but lately tilled the ground, there were seen but a few slaves, sufficient to tend the immense flocks. The free races, driven, in all quarters, from their homes, betook themselves to the Suburra, and huddled together there in misery and corruption, until under the command of a Marius or a Cæsar, they in their turn taught that merciless aristocracy to tremble, whose egotism had ruined free labour and small property in Italy.

Cato's programme of economy has been adopted by a considerable number of Irish landlords, and thousands of families have been sacrificed to the rage for sheep-walks, and the extension of vast pasturages.

So long as protection closed the English market to continental grain, and that of Ireland sold at high prices, proprietors paid but moderate attention to pasturages, and carried the subdivision of farms even to excess. Add to this, that up to the year 1829 political as well as financial interests had a stake in the encouragement of this subdivision and multiplicity of tenures.† It was, in fact, the period at which electoral rights were in the hands of forty shilling freeholders, and as a vote against the landlord was a thing unheard of at that time, the greater the number of farms on the latter's estate during an election, the greater was the number of votes at his command.‡

In 1829 however this electoral privilege was destroyed in order to take the edge off Catholic Emancipation, and to still in a certain manner Protestant susceptibility. Free trade also in corn became in 1844, in consequence of the

\* "A quo quum quæreretur quid maxime in re familiari expediret, respondit: Bene pascere. Quid secundum? Satis bene pascere. Quid tertium? Male pascere. Quid quartum? Arare." (Cic. *De Offic.*; ii. 25; Col. vi.; Præf. 4.)

† Whitley Stokes, M.D.; *Observations on the Population and Resources of Ireland*; 1821.

‡ "Parliamentary Committee of 1823; *Digest of Evidence*, p. 1 125."

Cobden league, and the not inglorious defeat of Sir Robert Peel, one of the principles of English political economy. The market was thrown open to continental grain, which a high duty had hitherto kept at a distance. The price of English and Irish wheat fell as a necessary consequence of this unexpected competition. The personal interests of the landlord having changed, he set about consolidating his farms and multiplying pastures, by reducing the extent of corn-growing land, with just as much eagerness as he had previously shown in splitting up into infinitesimal lots, the vast extent of his property.

The present high prices realised by butter, and the enormous consumption of meat in England, are the reasons which have induced Irish landlords to turn that island into one immense meadow. This sudden transition however from one system to another, from the excessive parcelling of tenures to their consolidation into large farms, has not been effected without a violent reaction upon the social life of the agricultural class. To speak truly, that class has borne the whole expense of that revolution. To the detriment of that class and the profit of an insignificant minority has been established a new order of things, which in twenty years has provided for those that remain more room, more air, more work, more food, more comfort, but by ruthlessly sweeping away three millions of men.

This is, we are aware, a question which, at the present day, is giving rise to the hottest and most bitter of discussions, and one into which it is necessary to go deeply. Its importance will be our excuse for the length at which we have deemed it necessary to discuss it.

#### § 2.—FERTILITY AND PRODUCTIVE CAPACITY OF IRELAND.

The leading opinions on this point, may be summed up as follows:

“The climate and the moist soil of Ireland have evidently destined her to be a land of pasturage; consequently landlords have, in extending pasturages and reducing the amount of arable land, done no more than act upon the data afforded by nature. As to her population it increased from 1821 to 1841 with such unusual rapidity that the work to be done became insufficient to occupy the number of disposable hands and to fill the number of mouths. Hence the frightful disasters of 1846 and 1847, years of a terrible crisis through which another people would doubtless have made its way with less loss. Those nice proportions which ought always to exist between the population and the resources of a country and which at present exist in Ireland, will lay the solid foundation of a better future.

To complain of the consolidation of farms and the advantages of emigration, is simply to sacrifice to vulgar prejudice, and to be unable to estimate at its real value, the lasting good which lamentable but temporary sufferings have done to a whole country."

We must frankly admit that this opinion has on its side great authorities, in matters of economy, both in England and upon the Continent. It is, moreover, the system upon which Irish landlords, even the most just and benevolent have, during the last ten years, effected great changes on their estates.

Let us at once concede to this system then everything to which it has a claim; our reservations will only be thereby the more equitable and more solid.

Ireland has, indeed, at all times been renowned for the beauty of her meadows. Buchanan, in the second volume of his *History of Scotland* calls her the richest pasturage in Europe,\* and Orosius had, in the fifth century borne the same testimony† to the salubrity of her climate, the fertility of her soil, the abundance of her fruit, the extent of her pastures, and the number of her flocks. Few countries could, according to him, sustain a comparison with her, none surpassed her.

The fact of the excessive parcelling of the soil, and the impossibility experienced by numbers of families of eking out an existence and facing the rent day, is stated by all official documents upon the condition of Ireland, published within the first forty-five years of this century. Indeed previously to the year 1845 the farms under three acres numbered no less than 300,000, amongst which were many of one or even half an acre; those of from three to nine acres numbered 250,000; those of from nine to twenty-four acres 80,000; and of those above twenty-four acres there were only 50,000. This made 600,000 farms of less than nine acres, and the exorbitant rents asked left the farmer just wherewith to escape starvation, and reduced him to such a pass "that the least failure in the crops began by rendering the payment of rent impossible, and ended by becoming a death-warrant to the tenant himself."‡

This extreme sub-division of the soil had, in certain parts of Ireland, brought about a kind of ill-proportioned concentration of the population, and had, in consequence of the difficult

\* "Pascua ferè totius Europæ uberrima."

† "Cum Hibernia, cœli salubritate, agrorum fertilitate, ubertate frugum, pastionis magnitudine, armentorum gregibus, conferre paucas, anteferre nullas valeas."—(Compare *Ireland's Natural History*, by Gerard Boate, Doctor of Physick. London, 1652; reprinted, 1860; Dublin, Thom.)

‡ Léonce de Lavergne: *Economie Rurale de l'Angleterre, de l'Ecosse, et de l'Irlande*, p. 380.

condition of agriculture resulting from a vicious system of tenure and farming, destroyed the balance which should always exist between population and consumption. It was therefore desirable that this state of things should be modified, and never had the question of landed property in Ireland been the object of more serious attention on the part of economists and statesmen than at the period to which we refer.

Unforeseen events came, and resolved by frightful misery a part of this very complex problem: and if the sole cause of Ireland's misfortunes had been in the excess of her population, or in the unequal distribution of that population over her surface, it must be admitted that the disappearance in ten years by famine or emigration of more than two millions of men ought to be for the evil complained of a remedy as effective as cruel.

This frightful decrease of population, unexampled in the history of nations, has however still left more than one difficulty standing; and if in the lofty and icy regions of economical science, there were men able to congratulate themselves upon a revolution so terrible and so radical, upon the daring and publicly expressed belief that it was "providential," there were also Christian moralists who found it impossible not to touch upon other sides of the question designedly passed over in silence by the apologists of the new system.

We should be glad could we promise ourselves that the following considerations would bring these points into relief:

That the peculiar nature of her soil and climate has fitted Ireland for a larger proportion of meadow than of corn-growing land, and consequently destined her to thrive by the number and fine quality of her cattle, is a fact scarcely to be disputed.

Must we, therefore, necessarily conclude that the preference given to pasturage, oxen, and sheep, over arable land, and over the men who gain their daily bread by husbandry, may lawfully be pushed so far as to force men to fly their native land by hundreds of thousands, and to seek a new home beyond the seas, in order to make room for the four-footed patricians of Durham and Dishley?\*

Is this just? Is it humane? Even supposing that by the laws of political economy it is necessary—a theory we by no means admit,—what man with an understanding or a heart would hesitate to protest with all his force against such a necessity and to

\* Varieties of oxen and sheep particularly esteemed in the great pasturages of the United Kingdom.—(See the work of M. Léonce de Lavergne, before quoted; chap. ii. and iii.)

repeat with the accents of stubborn conviction the hoary adage of Christian honor, "Pereat mundus, fiat justitia;" let riches, if needs be so, perish, and with them comfort and material prosperity,—especially when the prosperity of but a few is on one side of the scale, of which the other is big with the misfortunes and ruin of the masses,—yes, perish all these things rather than justice, humanity, and honor!

And what Englishman really devoted to his country and understanding the true springs of her prosperity and her glory, would for a moment suppose that the honour of a great people such as that of Britain is to be estimated by the annual returns of the exportation of cattle and butter, and that it will be a sufficient answer in the mouths of the men who have to go before God bearing the weighty responsibilities attached to wealth and political influence, to say: Ireland is in a better condition, but that *better* has cost her three millions of her children.\*

A few very curious lines of Spenser, hitherto but little noticed, show that as early as the time of Elizabeth, perhaps in the councils of that queen on the discussion relative to the most advantageous use to be made of the immense confiscations in Ireland, the question had already been raised whether pasturage and cattle or wheat ought to have the preference.

In the well-known dialogue on the state of Ireland, in which Irenæus represents Spenser's opinions, and probably those of contemporary English politicians, that personage makes upon this point a very judicious reflexion, one which in three centuries has lost none of its appositeness. "And to say the truth," he writes, "though Ireland be by nature counted a great soyle of pasture, yet had I rather have fewer cowes kept, and men better mannered, than to have such huge increase of cattle, and no increase of good conditions."†

Spenser would even have wished "that there were some ordinances made amongst them, that whosoever keepeth twenty kine, should keep a plough going."‡

\* We shall probably be asked : why always recur to this lamentable figure ? The improvement is palpable. Why attempt to sadden us by such dark memories ? You have only to forget it, and to look confidently at a better present with the expectation of a still better future. Such a style of arguing reminds us of the astounding saying of an intelligent and generous man whose enthusiasm however for the American Republic carried him to extreme lengths. It was vainly attempted to call his attention for a few moments to the frightful ulcer of slavery, and to the shocking contrast between the constitution of a free nation and the maintenance of such a fearful abuse. "I grant it," was the reply "but it has only to be kept out of sight, and the United States is the most glorious and civilized nation on the face of the earth !"

† *View of the State of Ireland*, p. 580.

‡ *Ibid.*

Neither does he fail to remark, as many have since remarked, that labour, and constant manual work in the fields are more favourable to morality and civilization than the easy task of tending flocks and herds in fat pasturages, an employment which he considers productive of idleness and theft.\*

§ 3.—WHAT NUMBER OF INHABITANTS IS IRELAND CAPABLE OF SUPPORTING ?

The same authors who have shewn the superiority of Ireland over all other countries in point of pasturage, are not less unanimous in the opinion that the soil of that country is so fertile and so happily composed that with ordinary pains and the use of ordinary means it yields abundant crops of wheat, barley, rye, and potatoes,—in a word, of all the cereals which, either directly, or indirectly, go to the nourishment of man.†

This extraordinary fertility of Ireland is a point to which it is most important that attention should be paid; since if it be true that Ireland, properly handled, can easily support a population twice or thrice greater than the largest she has ever yet counted, what are we to think of that pretended “surplus population” which, in the eyes of some, justifies wholesale evictions, and the sad strides of the national exodus?‡ How are we to believe after that, that without the sacrifice of three millions of men Ireland could not have been saved, since she has always been able to feed at least six times three millions of men? Is one not then justified in demanding a strict account of those who have disappeared. *Quid fecisti? Vox sanguinis fratris tui clamat ad me de terra.*

“About one half of the territory of Ireland” says M. Léonce de Lavergne, “consists of a fat soil, with a chalky sub-soil, that is the very best soil imaginable. The English themselves acknowledge that as soil it is superior to that of England.§

\* “For this keeping of cows is of it self a very idle life, and a fit nurserie for a thieve.” (*View of the State of Ireland.*)

“If the occupier kept only a herd to mind some cattle and spent his time and money in hunting and in drinking, trusting to Protection for high prices, he mixed with the notables of the land, and looked down with scorn ineffable on all that savoured of occupations vile, of industry or intelligence.”—Sir Robert Kane; *Industrial Resources of Ireland*; p. 286.

† It is commonly said in England, that Ireland is more fitted for being a cattle country than a producer of corn. But her land yields as fine wheat as any soil in England; indeed wherever the Irish lands are well drained, corn produce is abundant and excellent. (Lynch; *Measures to be adopted for the employment of the labouring classes in Ireland*; Lond., 1839; p. 15.)

‡ “We cannot despair when we find a country enjoying such natural advantages as Ireland possesses, with a large extent of uncultivated or unimproved land, and a numerous population, able and willing to labour, if opportunities are afforded to them.”—(*Digest of Evidence*; p. 1165.)

§ *Economie Rurale*, p. 372.—Swift: “*A short View of the State of Ireland.*”

The evidence of Arthur Young, of Wakefield, and of MacCulloch, is not less express.\*

Moreover although Ireland comprises, especially in the west, large tracts of marsh bog, and difficult mountain country, the most competent judges are of opinion that the greater part of those waste lands might be brought under cultivation, and would soon repay the capital laid out in reclamation, drainage and in rendering the country wholesome.†

These very promising conditions would, according to Sir Robert Kane, be still further improved, were the enormous quantity of cattle annually shipped off from Ireland to England consumed in the country which produces it. This assertion will hardly surprise us when we hear, from the same eminent scientific authority, that in one pound of bone there is contained the same amount of phosphoric acid which goes to the formation of twenty-eight pounds of wheat or of two hundred pounds of potatoes.‡

Now taking Ireland in her present state, under the existing system of cultivation, Sir Robert Kane shows that she could support with ease eighteen millions of inhabitants: that if the best methods of farming were generally adopted, the soil, responding to more intelligent and better directed efforts, could by double, or even triple crops, feed without difficulty not only twenty-five millions, the figure stated by M. Gustave de Beaumont, but as many as from thirty to thirty-five millions of inhabitants. Hence it is clear that the so-called surplus population of Ireland, at a time when she had only eight millions of inhabitants, is a piece of pure imagination; and that this pretended excess is a mere illusion grounded, if the expression be not paradoxical, upon the unequal distribution of the population.§

To look then upon the famine of 1846 and 1847 as a real

\* See for this evidence the above-mentioned work of Sir Robert Kane; pp. 240 and 241.

† "The area of bog is 2,833,000 acres, of which *almost all is capable of reclamation, and of being adapted to productive husbandry*. . . . In fact, there is no district in Ireland so sufficiently elevated as to thereby present serious impediments to cultivation, and scarcely an acre to which the name of incapable of cultivation can be applied." (Sir R. Kane; p. 244.)

‡ "Let it be recollected that in 1lb. of bone there is the phosphoric acid belonging to 28lbs. of wheat, or of 250lbs. of potatoes; that this phosphoric acid is indispensable to the healthy growth of the plants and of the animals by which they are consumed; and hence will appear the vital importance to agriculture of preserving as far as possible these valuable materials, and returning them to the soil."—(*Industrial Resources of Ireland*, p. 271.)

§ "It must, I think, be evident to every reflecting person, that all fears as to a 'surplus population' are perfectly ideal, and that it is its unequal, and not its aggregate amount, which is to be deplored."—(*Id.* p. 299, and 300.)



dispensation of Providence, in order to the relieving Ireland of a fatal surplus of population; to consider the system of forced emigration, by which Ireland loses yearly 60,000 inhabitants, as the sole means of restoring the balance between population and consumption, of slackening the mad competition for land, of raising wages, and of thereby improving the material condition of the working classes;—is very possibly nothing short of attributing gratuitously to Providence designs anything but providential. It is nothing short of an argument based upon the assumption that Ireland was *absolutely* unequal to the task of providing, out of her own resources, for the wants of her children.\*

§ 4.—STATISTICS OF PRODUCE DURING THE FAMINE YEARS.

It does not however suffice to show hypothetically, that if the land were properly tilled, and landed property better managed, Ireland could feed a population fourfold greater than her present one; (scarcely six millions). People will be more astonished to hear that, during those very years of cruel famine, when the unfortunate Irish perished by thousands in consequence of the absolute failure of the potato crop, (the only food within reach of the working classes), Ireland was actually producing corn and cattle certainly sufficient to snatch from the grave the armies of unfortunate beings who were writhing in the agonies of hunger and despair.

This fact was unknown in France; it is important that light should be thrown upon it, in order to the full and proper understanding of the condition of landed property in Ireland.

In every country, in every known language, the word *famine* means absolute want of the strict necessities of life. In Ireland the expression has a different import. It signifies that state of things, in which the peasant having,—in order to pay his rent, destined frequently to be spent in England,—sold all the wheat and butter produced by his little farm, finds himself reduced by the potatoe disease to the necessity of eating boiled herbs or wild turnips, which protect him but a short time from the dreaded approaches of the famine fever.

To preserve life before all things, would seem to be a universal law of Nature, admitting of no exception.

\* Such was in 1835 the view taken of the case by a Parliamentary Committee: "It appears most politic to use (our) internal resources, by which the revenue of the exchequer must be increased, rather than encourage emigration, by which the revenue would suffer a diminution, or than have the labouring classes in their present state, by which poverty, crime, and the charges of government must be inevitably extended."—*Com. on Pub. Works*, 2nd Report, 1835.

With the Irish peasant it is not so. Above all, before all, *pay the rent* ; if anything remain, live ; if nothing, *lie down and die*.

The existence of this frightful anomaly has long been proved beyond a doubt. As early as 1822, during a debate in parliament relative to a partial famine which had, in many counties driven the people to eat wild herbs, Cobbett had said :\*

“Money it seems is wanted in Ireland. Now people do not eat money. No, but money will buy them something to eat.

“What ! THE FOOD IS THEN THERE ?

“Pray, observe this, reader. And let the parties get out of the concern if they can. THE FOOD IS THERE, and we know that THE FOOD IS THERE ; for since the famine has been declared in parliament, thousands of quarters of corn have been imported every week from Ireland into England.”

The years 1846 and 1847 witnessed the same strange scandal. Men were dying in Ireland by thousands, and England got the whole world to come forward and meet this frightful disaster. America sent convoys of wheat : the Sultan added a donation to those of the other crowned heads : English private charity did wonders, in order to save the countless families who had in the short space of one night lost the crop of potatoes on which their lives depended until the following spring. But what!—even then Cobbett's exclamation could again be justly used : the statistics of exportation, as well as the English lists of current prices, confirm it in the most explicit manner : THE FOOD WAS THERE !

Let us simply quote a few figures. The following is the list of exportations from Ireland to England for the months of July, August, and September, of the year 1846 :

Wheat,	.	.	59,478	quarters.
Barley,	.	.	18,417	id.
Oats,	.	.	245,067	id.
Flour,	.	.	242,257	id.
Oatmeal,	.	.	138,241	id.
Oxen and Cows,	.	.	33,850.	
Calves,	.	.	1,923.	
Sheep and Lambs.	.	.	56,669.	
Pigs,	.	.	124,762.	

In a letter published during the month of October 1847, containing a mass of local statistics, Mr. John Martin, of Longhorne, concluded that the total of provisions produced by Ireland during the preceding year represented no less a sum than forty-one millions sterling, and that the exports to

\* Cobbett's *Register*, July, 1822.

England amounted to fifteen millions. Other economists however think his estimate too low, for according to official documents, there were exported during the year, 1846 for the English market 1,875,393 quarters of wheat alone.\*

The following details borrowed from the weekly returns of contemporary papers fully vouch for the truth of our statements.

The *Daily News* of the 3rd of October 1847 stated that the corn in the London market was chiefly drawn from the previous Irish crop. We read in the *Drogheda Argus* that in the single week ending that October 3rd there were exported from Drogheda 1200 cows, 3500 sheep and pigs, 2000 quarters of wheat, 211 tons of flour, and 130 boxes of eggs—besides butter, bacon, &c. During the same week, (*Evening Post* of 3rd Oct.) there were shipped at Waterford for England 250 tons of flour, 1100 sheep and pigs, 308 oxen and cows, 5400 barrels of wheat and oats, 7700 firkins of butter, and 2000 fitches of bacon.

In short, during the four famine years Ireland exported four quarters of wheat for every quarter imported. And it is to be remarked that, of the wheat imported, part had been previously exported from Ireland. It was thrown back upon that market after the speculators had made their profits out of it.

The reports of the Government Commissioner† for the year 1847, a year which posterity will know by no other name than that of the “famine year,” estimates the produce of Ireland in wheat, cattle, butter, eggs, &c., &c., at £44,958,120,‡ an amount sufficient, according to statisticians and economists, to feed sixteen millions of men. The total population of Ireland was, at that time eight millions. Since that time two millions and a-half have disappeared, either by famine and its consequences, or by emigration.§

Are we not entitled, in face of such a mystery, to exclaim with an American bishop: “I may be told that the famine in Ireland is a mysterious visitation of God’s providence. But I do not admit any such plea. They call it God’s famine! No!

\* Thom’s *Offic. Direct.*

† Captain Larcom (now Major-Gen. Sir Thomas Larcom, Under-Secretary for Ireland); Thom’s *Off. Dir.* 1852.

‡ This very year Mr. Wyse, the American Governor of Virginia, being at Rio de Janeiro, was astonished at the enormous quantities of smoked beef sent from Ireland to Brazil.

§ We subjoin the precise figures of the official Census of 1861:—

Population in 1841	.	8,175,124.
Do. 1851	.	6,552,385.
Do. 1861	.	5,764,543.

no! God's famine is known by the general scarcity of food, of which it is the consequence; there is no general scarcity, there has been no general scarcity of food in Ireland, either the present or the past year, except in one species of vegetable; the soil has produced its usual tribute for the support of those by whom it has been cultivated. But political economy found the Irish people too poor to pay for the harvest of their own labour, and has exported it to a better market, leaving them to die of famine."\*

The dogma of a "surplus population," so convenient of use in the justification of the wholesale-eviction system, and of emigration, seems to us to meet in the above statistics with a very formal overthrow. Ireland has suffered much more from the bad management of landed property, and the wilful hand of man, than from the resistless pressure of those trials which Providence sends or permits. To the eternal honour of Irish probity will it be stated that thousands of men died of hunger rather than lay their hands upon what they considered to be another's goods: it may be said that they carried almost to suicide their respect for the rights of property, and in dying of want, continued to feed their masters.† Was ever situation comparable to this?

A sadder hue is lent to these details when in the very presence of a people thus pining away and dying within reach of provisions of all sorts, daily shipped off from Irish ports for Liverpool, Bristol, Milford Haven, and London, we meet with the expression of official satisfaction at the progress of well-being and comfort among all classes of English society. A report of the Chancellor of the Exchequer during the month of February 1847, stated that coffee was being consumed in England to the amount of £7,000,000 beyond the amount reached by the sale of that article in 1843: that the consumption of butter and cheese had doubled; and that the consumption of currants for Sunday puddings had risen, among the working classes, from 254,000 to 359,000 cwts. As to tea the demand for that article had during the last four years risen by 5,400,000 lbs.‡

\* His Grace The Most Rev. John Hughes, then Bishop, now Archbishop of New York.

† Many bishops have certified to us the truth of this fact.

‡ This is what gave rise to the terrible saying: "The precise correlative of a Sunday dinner in England is a coroner's inquest in Ireland upon a victim of hunger."

§ 5.—IN WHAT CONSISTS THE IMPROVEMENT EFFECTED BY THE  
CONSOLIDATION OF FARMS.

It is sufficiently manifest that the unfounded opinion respecting a “surplus population,” even if received, would be an argument against the substitution of pasturage for corn-growing land. The argument attempted upon this point is in truth a rather singular one: that the country is barely able to support eight millions of inhabitants; therefore the difficulty must be increased by a modification of the system of farming, and by turning Ireland into one vast meadow!\* Would it not be both theoretically and practically better to develope in a soil so rich, so generous, and so ready to repay a hundred fold, resources which would afford its inhabitants not only the necessaries but even the comforts of life?

It is strange enough that Ireland should be considered as forming a solitary exception to a general rule. In other countries, and in the first place in England and Scotland, progress is generally measured by increase of population. Wherever, in fact, the earth is not absolutely sterile, and industry not absolutely dead, the larger the number of stout arms to dig and enrich the soil, to bring the might of modern invention to bear upon manufactures, the greater is the development of national wealth. That a larger proportion of mankind may enjoy better conditions of existence, a larger share of education and of liberty, is evidently the ideal at which all Christian society must aim. Such is the meaning of the blessings given by God to his children on earth, blessings to which they alone, by their passions, their cupidity, their egotism or their sensuality, can offer an impediment. On the one hand “Increase, and multiply, and fill the earth;”† and on the other this earth, tilled by man in the sweat of his brow, giving him in abundance, “that wine may cheer the heart of man, that he may make the face cheerful with oil, and that bread may strengthen man’s heart.”‡

Ireland alone seems to form an exception to this general rule

\* See the curious little work by the Anglican Bishop Berkeley: *The Querist*. (1734) :—

“87. Whether it be not a sure sign or effect of a country’s thriving to see it well cultivated and full of inhabitants? And if so, whether a great quantity of sheep-walk be not ruinous to a country, rendering it waste, and thinly inhabited?

“88. Whether the employing so much of our land under sheep be not in fact an Irish blunder?”

† Gen. i. 28.

‡ “Exibit homo ad opus suum . . . . Ut educas panem de terra, et vinum lætificet cor hominis, ut exhilararet faciem in oleo, et panis cor hominis confirmet.”—(*Ps.* 103.)

of the developement and progress of human society. Her prosperity is reckoned by heads of cattle, whilst the rapid decrease of her population, unequalled in the world, inspires no alarm.

The latest agricultural statistics show that the extent of pasture lands is becoming daily greater in that country. In 1858 there were 3,748,380 acres of land under the plough there: in 1859 there were only 652,2,386: in 1860, 2,639,384, and finally in 1861, 2,623,683 acres.\*

In 1858 there were 546,964 acres of wheat crops: in 1859 there were but 464,175: in 1860, 466,415.†

Since the year 1847 there has been a falling off of corn lands in the county of Cork alone, to the amount of 55,000 acres; and, during the same period, meadow and pasture lands have increased in such a manner as in twelve years to double the profits of the butter exporters.‡ During the same twelve years there has been a decrease of 38,863,925 barrels in the amount of oats grown, and of 7,502,878 in that of barley. During the single year 1860 pasture gained on cereals to the extent of 137,375 acres.

The landed interest in Ireland is then adopting a system of which every fresh stride will be attended by a proportionate decrease of population. Now to be aware that in presence of this increase in the number of horned cattle and sheep,|| the Emigration Companies are barely able to meet the demand upon them, and that, during the first eight months of the year 1860, more than 60,000 emigrants sailed from Irish ports, is sufficient, we imagine, to darken very considerably the charming pictures of Irish prosperity sketched in official speeches.

\* *Agricult. Statistics of Ireland, 1858, 1859, 1860, 1861*; New York *Metropolitan Record*, April, 1860; *Mechanic's Magazine*, Nov. 1861.

† *Agricultural Statistics of Ireland, 1860*; p. 4. There was also a marked falling off in the amount of potato crops: (4,329,523 tons in 1859; in 1860 only 2,741,380.)—(*Ib. Ib.*)

‡ Speech of Lord Carlisle at the Cork Agricultural Show; July, 25, 1860.

|| Except in 1861. In fact the Agricultural Statistics officially published in September last show that the number of horses, pigs and horned cattle has fallen off considerably: poultry alone has gained.

The following are Mr. Donnelly's (Registrar-General's) figures:—

	Horses.	Horned Cattle.	Sheep.	Pigs.
1860	619,511	3,606,374	3,452,080	1,271,072
1861	613,818	3,468,058	3,513,919	1,097,976

The severity of the weather during the last two years, and doubtless the difficulties thrown by insecurity in the way of small farmers desirous of stock breeding, are the causes of this decrease.

Far be it from us to call in question either the good faith or the good-will of a man in whom the great qualities of mind and heart belonging to the English aristocracy are worthily represented, and to challenge whose sincere desire to benefit the country under his administration would be a simple injustice! We may notwithstanding be allowed to ask whether the present Viceroy does not, as it were in spite of himself, pay his tribute to what may be called English prejudice against Ireland, when, in presence of wealthy landowners who so largely work the system of farm consolidation and of cattle grazing, he not only has not a word to say upon the disadvantages of such a system, but by his encouragement lends it a sort of official sanction? We may be disposed to admit that there has been some slight exaggeration in the melancholy comments which the recent speeches of Lord Carlisle have evoked from the Irish national press. But are they not very excusable, and do we not all feel what men of heart must suffer, when the prosperity and happiness of their country is extolled because forsooth the number of oxen and sheep is on the increase, whilst the population is yearly diminishing, and the London papers can exclaim with a tone of guilty and truly homicidal joy:\* “The Catholic Celt will soon be as rare in Connemara as the Pawnee Indian in Massachusetts?”

A few extracts from these speeches will serve to show the strange and selfish point of view, from which, we repeat it, the majority of Englishmen unwittingly look upon Ireland:—

Beasts, said the Lord Lieutenant lately, appear to be above all other things the product most in harmony with the soil and climate of Ireland. Corn, (such is his argument,) can easily be transported from one country to another, even to great distances, at comparatively low prices. It is not so with live stock, “Hence the great hives of industry in England and Scotland across the channel can draw their frequent ship-loads of corn from more southern and drier climates, but they must have a constant dependence upon Ireland for an abundant supply of meat; (applause !);” so that, at this moment, “it appears that whether for cattle or for sheep, nearly one-half of the whole surface of Ireland was devoted to pasture.” As regards the county of Cork in particular, he adds, cereals there occupy 55,000 acres less than in 1847. On the other hand live stock has more than doubled within 20 years; it counted 152,000 heads in 1840,—there are now 333,000.† The production of butter has increased in the same proportion; from 253,000

\* *The Times.*

† These statistical details find a piquant commentary in Swift’s words written early last century: “The good of this is that the more sheep we have, the fewer human creatures are left to wear the wool or eat the flesh. Ajax was mad when he mistook a flock of sheep for his enemies; but we shall never be sober until we have the same way of thinking.”

firkins, in 1847, it has reached 420,000 now, and the value of the butter exported is of a million sterling by the year.

"Then with respect to those mud cabins which were formerly the great opprobrium of the country, and which excited the censure and condemnation of all travellers, and also the regret of all those public-spirited inhabitants who mourned over a state of things which they were not enabled to relieve, the mud cabins of Ireland amounted in Ireland not twenty years ago to 491,000. They have now diminished to 125,000." The continuation of emigration (continues Lord Carlisle, approvingly!) produces a rise in wages, and the success of the emigrants who become rich at the other side of the ocean is a powerful stimulant to excite their relations and their friends to follow them!\* Again: "Of course," observed the same speaker, on another occasion, "when exile is occasioned by suffering and privation, it must be an object of regret to all well constituted minds; but considered in its broad results, I believe that while emigration fulfils the general destiny of *our* [!] race in peopling the whole earth, it ordinarily will be found to improve the condition both of those who go and of those who remain." (Hear! Hear!)

These speeches, and the applause with which they are greeted, form a good sample of the ideas of English statesmen, and wealthy landowners, upon the destiny reserved for Ireland. To supply England with butter and meat, and in order to this, to undergo an agrarian revolution calculated to introduce everywhere grazing and stock-breeding: as a necessary condition of this system to keep the population at a low figure, and drive to America or Australia what they are pleased to term the surplus, that is to say what would disturb the working of this cleverly conceived system: to enable Englishmen in this way to give themselves up, without uneasiness, to their immense manufactures, in the assurance of drawing from Ireland, together with round incomes, large supplies of excellent meat and prime butter: in fine to console themselves for the loss yearly sustained by Ireland from emigration in the conviction that it is the destiny of the Irish nation to people the whole earth: such are the secret springs of England's policy, and the sum of her designs upon Ireland.

In the sixteenth, and even in the seventeenth, century, the rulers and parliaments of England were anxious to clear the green isle of its old inhabitants, in order to hand it over to a new people, having nothing in common with the superstitions and memories of Popery.†

\* Speech of the Earl of Carlisle, Lord Lieutenant of Ireland, at Cork, 25 July, 1860.

† Speech of Lord Carlisle at Dublin, April 3rd, 1861.

‡ "The favourite object both of the Irish governors and the English parliament was the utter extermination of all the Catholics of Ireland."—(Leland;



Thanks be to God, this fanatical wish can no longer be considered a summary of the political programme of the governors of Ireland. Time has done its work, and to-day it requires for the perpetuation of this odious desire all the ferocious hatred and blind prejudice of the Orange party.\*

No, we feel convinced that no minister of the crown would, in our times, venture to imagine or to state that the existence of a Catholic population in Ireland is incompatible either with the safety or the greatness of the Protestant Empire of Great Britain. Such narrow views, and such a sectarian policy would undoubtedly be repudiated by the good sense and natural uprightness of the English nation.

But is not the same result being attained by means less perilous and less disgraceful when the highest representative of the crown in Ireland gives a periodical and unreserved approval to a system of management which progressively reduces the amount of population? Is it a sufficient justification of this huge conspiracy against the life of a nation that public opinion has momentarily been influenced by an attempt to prove this system conducive both to the advantage and happiness of all: of the English who secure a constant supply of meat, of the landlord whose rent-roll is swelled, of the emigrant who seeks his fortune beyond the seas, and of the remaining husbandmen, who get more wages and undergo less privation? What a truly admirable system, which, by a singular and unexampled privilege, has been able to satisfy all requirements, to respect the rights and reconcile the interests of all, and without straightening Ireland, to further the prosperity of England!

But against this cry of triumph rises the indignant protest, not of the victims whose voice is hushed in the grave or unheard in the distance of exile, but of every man who does not reckon a nation's happiness by the number of horned cattle bred, and of firkins of butter produced. This avowal is made in these same speeches, which may be called the Official Apology for farm-consolidation and for the conversion of Ireland into one great model farm and one great model ox-stall: *three hundred and sixty-six thousand families have*

III. 166.) "All the governments of England, whether the absolute monarchy of the Tudors and Stuarts, the Commonwealth, the government of the Restoration, or the Constitutional Monarchy, have entertained on this matter but one and the same idea: *To keep the Irish from holding property in Ireland.*"—(Léonce de Lavergne; *Economie Rurale*; p. 395.)

\* "Ireland," said an Englishman a few years ago to a French traveller, "is a very unfortunate country, which will be very rich indeed when all the old owners are dispossessed and *all the ancient inhabitants have disappeared.*"—(*Revue des Deux Mondes*; April 4th, 1853. Article by M. Jules de Lasteyrie; p. 503.)

*disappeared!* Will it be any consolation to those who have been forced to claim legal charity in the workhouses, or to find well-being far from their country, running a thousand risks of soul and body, to be told that those who remain are better housed and better fed, and that the manufacturing hives of Manchester, Leeds, Birmingham, and London are for the future sure of an abundant supply of meat and butter?

It is evident then that there is a great gap both in the speeches of the lord lieutenant and in the economic programmes of the agricultural societies formed by the large landowners. They overlook the cost of this apparent prosperity to so many poor families whose forefathers were undisturbed possessors of that soil of Ireland, and who now see themselves mercilessly driven out to make room for the breeds of Durham and Leicester. To allege the strict right of landlords to handle their property in the manner best calculated to secure large returns is by no means a sufficient argument. If to property are attached incontestable rights, humanity too has rights which are absolutely imprescriptible. You have it indeed in your power to use as you like those domains which iniquitous and violent confiscations handed over to your fathers: there is no law in the world to hinder you from driving off wholesale the families of your old tenantry in order to replace them by two or three graziers.\* Go on. Evict. The law is not against but for you. Attempts are made to prove that science is on your side. Encouragements and eulogy are lavished upon you from those in high places. But know that against you are the tears and despair of those whom your strict right hurries into exile or wretchedness, and that the gospel contains a curse against those who devour the houses of the little and the weak.†

Those who view the matter in this light are, we are aware, accused of taking up a sentimental and conventional position, proved to be false by positive science. We have before us, however, a document drawn up by six Englishmen, who certainly did not undertake to write an elegy upon Ireland. Now these English statesmen—after having proved the parcelling of land to have been carried to an extent highly prejudicial to the interests of agriculture—after having shown, that by prudent and temperate proceedings the number of farms might be advantageously diminished, without any neces-

\* In 1842, in the county Meath, *fifty-four* families were evicted at one time, and replaced by *three* graziers. (Report of Poor Inq. Comm. ; *Dublin Review*; Nov. 1842.)

† “Vae vobis qui comeditis domos viduarum !”—(Matth. xxiii., 14.)

sary diminution of labour (since a vast amount of work remained to be done in the reclamation and drainage of the marshy and mountainous districts of Ireland),—expressed a fear that the proprietors were too exclusively pre-occupied with their personal interests, and not sufficiently so with the lot of the small tenants whom it would be necessary to eject.\*

“If the condition of the landlord,” said these men of such sound judgment and such ripe experience, “and of those tenants who remain in possession of the soil are alone considered, the change is undoubtedly one of unmixed good. But *the situation of another class remains to be considered; that of the ejected tenantry, or of those who are obliged to give up their small holdings in order to promote the consolidation of farms:*” forced to betake themselves to the suburbs of the large towns, whither they carry with them misery and the vices usually attendant upon it; and “what is perhaps the most painful of all, *a vast number of them have perished of want.*†

They state, as we have just done, that the evil results from the abuse of a right; but they do not think the law ought to interfere to circumscribe even the unjust exercise of the essential prerogatives of property. They do not consider themselves bound in consequence to pass over in silence this abuse of right; and whilst supporting the theoretical excellence of the system, they do not hesitate to say that there is a manner of working that system, which, instead of procuring the public good, would become a source of misery.‡

Nothing gives a sadder confirmation to the prevision of these statesmen than the incessant evictions which during the last fifteen years have been effected in Ireland, and which have literally covered with ruins a country destined to be so wealthy and prosperous.

\* “The risk to be apprehended is not that the proprietors of land should be insensible to these considerations, but that they should, in some cases, proceed with too much rapidity.” . . . (*Dig. of Ev.*—Lord Devon’s Commission; ii. p. 1127.)

† *Id.* p. 1127.

‡ “It does not follow that we should hesitate to expose the abuse.” . . . . (p. 1129)— . . . . . “A proceeding which under the existing circumstances of Ireland is often indispensable, may become a source of comfort or of misery, according to the spirit in which it is carried out.” (*Id. ib.* p. 1131.)

## CHAPTER IX.

### EVICTIIONS.

BEFORE proceeding with this part of our subject it is but right that we should in the first place pay the tribute of our admiration to those generous and enlightened landlords who have not considered themselves authorized, in the interests of their estates, to sacrifice the dearest interests of their tenants' families; who have effected the extinction of small farms only in the measure clearly indispensable for the good of the peasants themselves; who have, in short, often amicably treated with their tenantry, in order to avoid evictions, and have given them the means of seeking in America better conditions of existence.

It is beyond a doubt that had such noble example been generally followed, many of the grave economical difficulties which Ireland had to face would have been solved peacefully, and with advantage to all concerned. To encourage the reclamation of waste land by advancing capital, and granting leases; to aid judicious emigration to foreign parts, and mitigate its rigours in cases where it was the only remedy for a fatal concentration of population on one point of the land; such were the humane and enlightened means of rendering acceptable to the agricultural classes a transformation which could otherwise so easily be interpreted as the effect of malevolence and a proof of the imputation always made against Irish landlords, viz., that of aiming at the extirpation of Catholicity in Ireland by driving far from its shores the native population.

That unfortunately such has not been the case, and that, in a vast number of instances, indecent haste violence and brutality have signalized the "consolidation of farms," is beyond all question. Such is the substance of what even ministers have more than once felt themselves bound to avow in the House, whilst condemning in the severest terms the inhumanity of landlords.

"It was undeniable," said Lord Grey,\* "that the clearance system prevailed to a great extent in Ireland; and that such things could take place, he cared not how large a population

\* House of Lords; March 13, 1846. (Hansard's Parliamentary Debates.)

might be suffered to grow up in a particular district, *was a disgrace to a civilized country.*"

In the House of Commons Lord John Russell terrified his auditors by going into the details of an eviction in which "a whole village containing 270 persons was razed to the ground, and the entire of that large number of individuals sent adrift on the high road to sleep under the hedges, without obtaining shelter even among the walls of the houses."

During the *single* year 1849 "more than 50,000 such evictions took place; more than *fifty thousand families* were in that year turned out from their wretched dwellings, without pity and without a refuge," turned on to the high road without a shelter. These are the figures and these the words of Mr. Joseph Kay, an English Protestant economist; and he accompanies them with this terrible reflexion: "We have made Ireland—I speak it deliberately—we have made it the most degraded and the most miserable country in the world . . . all the world is crying shame upon us, but we are equally callous to the ignominy and to the results of our misgovernment."\*

To detail all the evictions effected, even after that year during which fifty thousand families, making a total of 200,000 persons, were driven off their little holdings, would be a task of too great length, and of saddening monotony. We shall confine ourselves to but a few of the most recent, which will prove that neither Lord John Russell's description, nor Lord Grey's stern censure of the "*clearance system*" have prevented wholesale evictions.

There is a sad uniformity in the scenes attendant upon them, in the despair which they evoke, in the distress which is the consequence of them, in the very ruins which remain to bear witness to what has happened. In whatever part of Ireland one travels, except that portion of the province of Ulster which is almost exclusively Protestant, one may state without exaggeration that it is impossible to travel nine miles continuously without seeing by the road-side the ruins of these cabins which have fallen before the "*Crowbar-Brigade.*" Even in the wealthiest and most populous counties these ruined dwellings, frequently in groups of ten or twenty, tell the sorrow-stricken traveller of the trials which have scattered their humble occupants. We remember seeing at Mallow, a town in the county Cork, one of the principal stations of the South-Eastern railway, an entire street which was nothing but

\* Joseph Kay: *The Social Condition and the Education of the People*; (vol. i. p. 315 and 318.)

one heap of ruins. In the counties of Clare and Galway, this heart-rending sight is to be met with still more frequently; and the visitor to this part of Ireland, supposing him to be unacquainted with its history, or of the standing vices of its social organization, would inevitably believe it to have been the recent theatre of a war to the knife, in which each hamlet, each street, each house had been besieged and taken by assault, and mercilessly destroyed by the savage victor.

We do not remember ever to have been more forcibly struck by this impression than in the most western districts of Connacht. We were going over the promontory of Belmullet, in the barony of Erris (county Mayo), and had already seen many traces of the evictions effected there in such numbers within the last three years. Nothing we had yet seen, however, was at all comparable to the village of Blacksod, which until lately had afforded shelter to about a hundred families. In the summer of 1858 *ninety* of these families were evicted at one and the same time by their landlord, a wealthy *clergyman* of the Established Church. A most trustworthy eye-witness gave me the most harrowing details of this eviction. The work of destruction was done amidst the sobs and despairing cries of the whole village population. One of the poor creatures thus evicted was taken in the pains of labour, and obliged to betake herself to a cabin in which eighteen persons had already taken shelter. The affair became so notorious that even the *Times* consented to open its columns to a letter, in which the parish priest of these unfortunate people, the Rev. Patrick Malone, held up this cruelty to public indignation.

The ruins of this village are now scattered upon the side of the hill. The street which divided the rows of houses may still be traced: portions of walls, stones blackened by smoke, show where the tenants' families once lived: the grass is already beginning to cover these ruins and to lend them an appearance of premature antiquity. Had the mine and the cannon there done their work, they could not have made greater ravages. Is property unable then to devise any other means of securing its rights, and inspiring respect for its privileges, than this inexpiable war and these barbarous atrocities?\*

\* "The cabins of the peasantry were pulled down in such numbers as to give the appearance, throughout whole regions of the south, and still more of the west, of a country devastated and desolated by the passage of a hostile army."—(*Irish Quar. Review*; March, 1854, p. 106.) Speaking in the House of Commons of the desolate aspect of the whole of the west of Ireland, Mr. Bright spoke of that part of Ireland as "those western counties wherein no man can travel without feeling that some enormous crime has been committed by the government under which that people live." (Speech on the *Irish Regium Donum*, House of Com. July 6th, 1854). It is among such ruins that one should read Goldsmith's touching poem of *The Deserted Village*.

But what shall we say of the cruel system of those evictions which do not pretend to economical arguments; evictions determined solely by political or religious motives?

We have said, and we believe we have proved, that in the case of large masses of the Irish peasantry the right of voting is but a fiction, when it is not a humiliating servitude. In fact during general elections, or certain elections of local interest such as those of poor law guardians, eviction is permanently held *in terrorem* over the heads of those tenants who would take the liberty of acting as free men, and of freely using their rights of citizenship.

Landlords are all the more irritated at seeing their tenantry act independently at elections, since for a length of time their will was law. A candidate proposed was a candidate returned. We know how tenants are led to the poll, and by what degrading docility they purchase the right of labouring and of living.

In presence of such threats, and of their consequences, those tenants are to be admired indeed who courageously obey their political conscience, and who, according to the justly celebrated saying of the humble Irishwoman, brave everything "whilst remembering their soul and liberty."\*

The sectarian antipathy of Protestantism to the old religion, to which the Irish have stood in spite of three centuries of persecution, transportation and butchery, has had a large share in bringing about the sufferings and oppression of the agricultural class. The terrible threat of eviction is a weapon fearlessly used by certain landlords to further the remarkably slow progress of the Protestant religion, whenever the more insidious but equally sterile system of promises and bribes has found consciences inflexible.

For many years there existed in Ireland a regularly organized society of Protestant landlords, the avowed object of which was to replace by Protestant families the Catholic farmers living on the estates of the members.

We quote textually the terms of the association compact:—

"Seeing that there are entire districts composed exclusively of Catholics; seeing that there is no other means of forwarding Protestantism in these districts than the substitution of Protestant for Catholic tenantry; that it is a clear duty to introduce Protestant tenants into these districts, and this society will do its utmost to get a charter of approbation from government."†

Under other circumstances Anglican proselytism is worked

\* Quoted *ante*, p. 21, *note*.

† The society was called "The Irish Protestant Tenantry Society." See Oulton's *Dublin Directory*, up to 1841.

upon a less vast scale. Its character is not the less odious, and the narrowness of its action neither makes it less barbarous in its proceedings nor less merciless in revenge.

In 1855 a certain colonel bought an estate in the County Monaghan, sold by the Encumbered Estates' Court. One of his first cares was to build a school rigorously Protestant in teaching, although there was a very well ordered national school in the neighbourhood close to the estate. Then the bailiffs and the Bible readers visited the tenantry, and desired them to send their children to the Protestant school, *under pain of eviction, in case of refusal.\**

The most celebrated affair of this kind, both from the nature of the circumstances, the quality of the personages who figured in it, and the noise it made in the London and Paris press, is that of the Protestant Bishop of Tuam, Lord Plunket, and his Partry Catholic tenantry (County Galway). Three public law-suits; a considerable amount of correspondence between Lord Plunket and the parish priest of Partry, Mr. Lavelle; authentic documents handed over to the papers by the Protestant bishop himself; speeches made at meetings held on this occasion in the most considerable cities of the British Empire; all contributed to give prominence to a persecution, which has, during the last three years, been more prejudicial to the Anglican Church even than it was disastrous to those who were its victims.

Let us briefly sum up this affair with the help of all the above-mentioned documents.

A school had been established upon the estate of the Protestant bishop and put under the direction of the "*Irish Church Society*." For some years the tenants yielded to threats. Their children, almost without exception attended his school. An entire generation was about to grow up under the influence of teaching hostile to the Catholic faith. We can easily understand the hopes entertained by the founders and first patrons of the school in presence of such success. The arrival of a fresh parish priest however brought swift destruction upon these hopes, and baulked beyond recovery, a system so ingeniously devised for noiselessly compassing the apostacy of a whole parish. Immediately upon his arrival in Partry, Mr. Lavelle represented to his parishioners the enormous responsibility with which they loaded themselves in sacrificing to temporal interests the consciences and faith of their children. But how could they make up their minds to brave the terrible

\* "The colonel *must* have children for his school or his land."—These were the words used by one of the bible-readers to one of the fathers of families. "Send your children to school," said one of the bailiffs to another father, "and all will be well."—(Evidence given upon oath before the judge.)



threat of eviction? It was doubtless a cruel thing to put into the hands of Scripture-readers these young souls, and to see scattered among them the seeds of Protestantism, of that religion abhorred a hundred times by the Catholics of Con-nacht, to whom it is the summary and personification of all that the astuteness of Elizabeth and the sanguinary genius of Cromwell have invented of oppression and violence against the Isle of Saints and the faith of St. Patrick. But on the other hand, how were they to disobey, when their disobedience would entail such fearful consequences?

Is there a single Irish peasant, who after having chatted with his neighbours, amid the smoke of the turf fire (with the rain hissing, and the wind howling among the mountains), over the last Michaelmas' evictions, has not seen, at least as a frightful dream, his wretched cabin surrounded by bailiffs and constables: then the levers of the *Crowbar-Brigade* raised to strike and destroy; his little children cast half-naked upon the high road; and the poor mother unable to warm them at her bosom, because the cold rain is falling and there is no shelter at hand!

The apprehension of such terrible distress was battling against conscience. Many Sundays went by and nothing was done. The pastor renewed his exhortations, and implored these peasants not to be less devoted to the faith than their forefathers. Still there was hesitation. A great and pious inspiration suddenly bore down all obstacles, and lent a spirit of intrepidity and self-sacrifice to these hitherto timid and vacillating souls. One day in the presence of the Blessed Sacrament, in the name of that love which the Saviour of man has testified for them in this incomparable mystery, the pastor conjured his parishioners to take pity on their souls and on those of their children! Tears were the only response to this pathetic exhortation. On the morrow not one Catholic child took the road of the Protestant school. The master and the scripture-readers found it deserted.

This courageous demonstration soon came to the knowledge of the Protestant bishop. It was resolved to beat it down by menacing the tenants with eviction. Not only did scripture-readers and bailiffs go from house to house, but Lord Plunkett's own daughters, accompanied by the Protestant minister, made the round of the estate, and desired the tenants afresh to send their children to the school. On their approach, one of these poor mothers took her child, and hid him between the mattress and the bed. When she took him out, the unfortunate child was half-smothered and his face quite livid; nevertheless he had not betrayed his place of conceal-

ment by a single whimper. By his courage he possibly spared his mother a weakness of which she would have afterwards bitterly repented.

One peasant, named Prendergast, had not the courage to undergo this persecution. He began by refusing; but when the "notice to quit" came, he yielded, and again sent his children to the school. Shortly afterwards, his conscience and faith got the upper hand. He unhesitatingly obeyed them. The avowal of his agony and his weakness, made by this poor peasant when examined, during the trial at Galway, (July 1860), is incomparably fine and dramatic.

"I am one of the tenants of his lordship, was Prendergast's sworn evidence; I am a Catholic, and I go to mass; and I mean to bring up my children the same. One day I saw the Protestant minister, the Rev. Mr. Townsend, and Miss Plunkett, coming towards my house. I put a bundle upon the top of a box, and I hid myself behind; the minister came into the house, and found me, and he told me that Miss Plunkett was waiting for me at the door. She asked me whether I would send my children to the school. I said that I would not. Immediately afterwards I got a notice to quit my farm. Then I was afraid; for I have a large family, and they are not strong enough yet for work. I sent my children to the school. But I took them away from it soon. *After that a bit I eat didn't do me good.* I felt that I had acted against my conscience, and against God!"

In this way notice to quit was served upon more than *sixty families*, because they had refused to do violence to their conscience.

The execution of the evictions was delayed: for a moment it was hoped that this affair, which cast such a lamentable cloud over one of the most honoured names among the nobility of Ireland,\* would be closed by some amicable arrangement. Protestants and Catholics rejoiced heartily at this prospect.

The former were especially distressed at seeing one of the high dignitaries of the Establishment compromise by so odious a piece of oppression the authority both of his rank and his ministry. These hopes were short-lived. In the month of November 1860 the sentence of eviction levelled against fourteen families, comprising in all sixty-nine persons, was carried into effect.

On the 20th of November a detachment of the 20th regiment and a large body of mounted and foot constables

\* The Bishop of Tuam is one of the sons of the renowned orator Lord Plunkett, who at the close of last century defended the cause of Ireland with such marked talent and energy, and who on more than one occasion in the present stood forth, in the name of justice and liberty, as the champion of the Catholics.

assembled by order of the sheriff. On the 21st at nine o'clock in the morning this little army set out on its expedition.

The sheriff advanced at the head of a few policemen towards the house of Edward Joyce, who was standing on the threshold of his door, with his wife and his four children. They were ordered off; then the head of the Crowbar-Brigade arranged his men in order round the cabin; the signal was given; the crowbars were raised; *thug,—thush,—clank*; a few thrusts destroyed the roof and walls of the cabin. The same operation was immediately after performed upon a second, a third and so on for the rest. Poor Tom Lally tried to propitiate the destroyers. The house was his own; he himself had built it; he had brought the stone and lime for it with great labour over hill and dale. "No matter," rejoined the sheriff; "clear out; constables to work!" As neither Lally nor his wife, therefore, would stir out of the house which they insisted on considering their own, three constables seized the wife, one by the hair, the other two, by the waist, and proceeded to put her out on the dunghill.\* Six other constables seized the husband, and got him down, and knelt upon him; and whilst thus held, he saw his house fall under the crowbar, whilst his wife, a really Christian woman, cried out to encourage him: "Thank God they cannot turn us out of Heaven!"

The parish priest himself, in order to prevent useless resistance, prevailed upon the inmates of another house to withdraw and let the sheriff's band do its work. This family numbered ten persons, at the head of whom was an aged man. Shortly afterwards they were without house or home.

On the two following days the same scenes were enacted with episodes no less harrowing. In one of the houses about to be destroyed was an old man of eighty, and a woman of seventy-four. The old couple were quite disconsolate. "Ah," said the poor woman, "here I am, at seventy-four, without a shelter in the world; I who never wronged anybody, and often opened my door to the poor and the unfortunate; what have I done to deserve this?" "Peace, my dear," said the old man to her, with sublime composure, "peace; the passion and death of Christ was more than this."

To the honour of the Protestants of England be it said, that

\* For all these details, both the preceding and following ones, see: 1st. *Report of the Galway libel case*; 2nd. *The War in Partry*; 3rd. *A Letter of Dr. MacHale*, Archbishop of Tuam, to Lord Palmerston, dated the 21st November, 1860; 4th. *The Dublin News*, of Feb. 14th, March 5th, Oct. 16th, Nov. 24th, Dec. 3rd, Dec. 11th, 1860, Jan. 12th, 19th, and 21st, 1861; 5th. *The Liverpool and Manchester Advertiser*, Sept. 15th, 1860; *The North British Daily Mail*, two first weeks of January, 1861; 7th. Above all, the *Times* of Nov. 27, 1860, and the *Morning Star* of Jan. 19, 1861.

this terrible execution carried out in the name and by command of one of their bishops, raised from their ranks a universal and indignant cry of horror, and that they stigmatized in the strongest terms this piece of conduct.

“Lord Bishop Plunkett,” said the *North British Daily Mail*, a paper generally very unfavourable to Ireland and Catholics, “may be a very conscientious bishop, and a very decent man in private life, kind in his domestic relations, as well as anxious for the welfare of his poor neighbours’ souls, but *looked at as a Christian minister, or as a landlord, it strikes us that he deserved, for his conduct in evicting the poor people on his estate for the causes stated, all the censure and contempt that can be poured out upon him.* As the priest of a religion that required human sacrifices, Bishop Plunkett would be just the man to grace the office. As the lord over serfs, the cudgel or the thong would fit his hand naturally for the administration of the bastinado or the knout. . . . It would be difficult to conceive anything more tyrannical than this,—more unbecoming a Christian minister,—more unworthy a man claiming to possess the common feelings of humanity. . . . Under any circumstances this act would have been an unjustifiable barbarity. Just now it is almost equivalent to murder; and although there may be no law to punish such a crime, out of the general conscience a penalty should come to brand for ever the man who committed so monstrous a wickedness. . . . to be guilty of such an outrage on religion and humanity, simply because they took their children away from his schools, is a stretch of wickedness which no body but a bigot could conceive, and nobody but a savage perpetrate. It may be that Catholicism is a soul-destroying superstition. It may be that it fosters ignorance, laziness, and poverty. But whatever it is let us meet it and fight it fairly, by purer faith, higher knowledge, industry, and wealth. If we cannot vanquish it by these means, we cannot triumph over it at all. . . . Without going into the question of tenant-right, or any other question of Irish politics,—leaving all such matters to find a legitimate settlement at the right time,—we cannot refrain from entering our protest against such conduct as that of Lord Bishop Plunkett’s. And whilst doing so, we cannot but express a hope that the newspaper press of the United Kingdom, of all shades of politics, would so speak out as to convince the bishop, and all such bigots, that such a wickedness as that which he has perpetrated will not be quietly tolerated by the liberal and humane men of the country.”\*

The *Times* was not less severe in its condemnation of the Lord Bishop; and it is easy to conclude that the scandal of the Partry evictions must have deeply humiliated the members of the Established Church when we see the conduct of one of its high dignitaries visited with censures so strong and so public. Delicacy of language is not the characteristic of

\* *North British Daily Mail*, Jan., 1861.

English newspaper warfare, even when correction is administered to the best of friends. We therefore beg to remark that the fact of our quoting these English newspapers in no way implies an unqualified approbation of the terms in which they speak:—

“There are things,” says the *Times*, “perfectly defensible and which it is accordingly dangerous to say a word against; but when all is done and conclusively defended, *there remains a hideous scandal*. Nobody ever yet succeeded in catching a bad smell, in bottling it, or weighing or measuring it, or proving its existence to a man without a nose; but, nevertheless . . . . . Now, *we are sorry to say that the evictions of his tenantry by the Bishop of Tuam are by no means a fragrant affair*. . . . . *A bishop had better sit down and die, or cast himself on the charity of his diocese, than figure to the world in the unseemly character of a wholesale evictor, collecting ‘red armies,’ and ‘black armies,’ and pulling down houses over the heads of their aged and long-settled occupants*. . . . . It’s a matter of taste. There’s no arguing upon it. We avow an honest prejudice against the use of a *pickaxe* and a *crowbar* by a successor of the Apostles. It can never be a necessity that a bishop should handle such weapons, or authorize their use. A man may be a bishop or not as he likes. If he objects to the situation there are always plenty of men quite ready to take it. . . . . So, as a man is not obliged to be a bishop, and he has not to stand in the gap and save the church at the orders of a superior officer, it is no great hardship to him if he accepts the office subject to some trifling self-denials. The taste of the day does not allow a bishop to go to races, to drive a tandem, to hunt, to frequent the opera, to dance, to wear an embroidered waistcoat, to marry much below his years or his rank, or to do many things which are at least condoned in other classes or professions. It’s all taste. We hedge round the bishop with a propriety which makes large demands upon us, and may make some demands upon him. We cannot help feeling that the *crowbar* comes under this class of restrictions. We may not always bear in our minds the imaginary crozier, but at least we expect an open palm and a gentle pressure—not a heave at the crowbar, followed by falling thatch and crumbling masonry, out of which some poor old couple escape into the waste around.”\*

Two years ago another eviction, arising likewise from the hostility of a wealthy landlord to the Catholics, produced the greatest sensation in County Longford and gave rise to questions in Parliament. It had been effected under extraordinary circumstances, and rarely had the arbitrary authority of the aristocracy assumed a more odious character.

The hamlet of Gortliteragh, a few miles from Longford, possessed a parish church, for the construction of which the late Earl of Leitrim, father of the present Earl, a man whose

\* *Times*, 27th Nov., 1860.

memory is venerated on account of his humanity and kind-heartedness towards his tenants, made a grant of land, without at any time requiring rent. He had enlarged the demesne of the presbytery by letting to the occupant a dozen acres of land at a very moderate rate. On his succession to the title and estates his son required that independently of the Presbytery and its dependencies, special mention should be made in the lease of the ground upon which the church was built. The parish priest urged to no purpose that no rent had ever been paid for the church. The result of the discussion was a notice to quit, served upon the parish priest, in which were comprised both the house, the land, and the church itself.

The case was tried at the Leitrim assizes. The witnesses unanimously deposed that the church was built upon the spot occupied by it at a period beyond the memory of any living inhabitant of the parish, and that no deed had been drawn up touching it. Lord Leitrim's counsel discovered however that in 1811 the Rev. William Armstrong had taken out a lease for life in which mention was made of the ground occupied by the church; and although after him laymen had rented the house and the adjoining land, although the parish priests, his successors, had *never paid* a penny for the ground in question, still this single clause in the lease of 1811 sufficed to induce the jury to recognize Lord Leitrim's right of ownership.

In this case, as in many others of those adduced by us, natural equity was violated by adherence to the letter of the law. The judges were of opinion that considering the well-known benevolence of the late Lord Leitrim and all that he had done for the parish of Gortleteragh it was evident that this clause could only have been introduced through inadvertence, and that to take advantage of it was certainly a departure from the formal intentions of the late landlord; but the law admits no such interpretations: natural justice and good sense were against the plaintiff; but he had for him the letter of the law, and he demanded the benefit of it. The judges were obliged to grant it, and they passed a sentence conformable to his demand.

In consequence of this sentence the sheriff, accompanied by the agents of Lord Leitrim, called upon Mr. Fitzgerald, the present parish priest, on the 5th of June, 1860, to demand possession of the presbytery, the land, and the church.

Mr. Fitzgerald immediately left the presbytery and its dependencies. As to the church, he replied that he had no right to deliver it up; but that if the agents of Lord Leitrim were determined upon taking possession of it, they would meet with no resistance on his part.

In the mean time, the parishioners of Gortleteragh and the neighbouring peasantry informed of the presence and demands of the sheriff, had assembled in considerable numbers. They declared that the church being their property, they would rather die than allow themselves to be deprived of it by a sacrilegious eviction. These words, and the threatening attitude which accompanied them, made the sheriff reflect a little. He concluded that he was not strong enough to be able to have recourse to force. Thanks to the protection of the parish priest he was enabled to withdraw in safety and carry back to Lord Leitrim an account of the results of his errand.

The latter immediately decided for extreme measures. As the work to be done was to deprive of its chapel a population which despair might easily drive to violence, all necessary precautions were taken by him in concert with the authorities.

On Saturday the 23rd and Sunday the 24th of June, 1860, detachments of the 15th and 30th regiments, with a picket of lancers and about 250 constables made for the village of Mohill, about four miles from Gortleteragh. This little army encamped at Mohill. The 250 constables set out alone for Gortleteragh: the 400 infantry and cavalry being held in reserve to act in case of need. We must say that in this case the conduct of the soldiers was highly honourable to them; that they went on this expedition full of shame; and that the Protestants were not the last to testify their indignation and to say that they would not fire upon the people.

Meanwhile the priests of the district, by order of Dr. Kil-duff, Bishop of Ardagh, went from house to house, preaching peace and resignation; ordering the peasants, where such orders were necessary, to abstain from all violent demonstration; telling them, in order to secure the desired peace, that so long as they could offer up their prayers to God under the vault of heaven, it were better to lose a hundred chapels than to spill one drop of their brothers' blood.

In the heat of the affair the Earl of Leitrim himself arrived at Longford from Dublin, whence he had started in the morning. He found at the station a large body of constables, commanded by Captain Hill, which escorted him to Sutcliffe's hotel. They proceeded on foot to the hotel, and the cortège had to make its way through a dense crowd, which made the air ring with its threatening cries, and which, immediately upon the entrance of Lord Leitrim into the hotel completely surrounded it. The crowd was rapidly increasing by the arrival of new-comers, who had heard of the Earl's arrival: and notwithstanding their ability and energy, the constables had to abandon the idea of getting Lord Leitrim away secretly.

The Earl then determined on braving the danger: he got into his carriage; seated himself between two armed servants; and succeeded in getting out of the town without any ill-treatment.

The Longford Roscommon and Westmeath roads, which meet at Gortliteragh, were covered with peasantry, determined at any price to be witnesses of the sacrilegious usurpation of the parish church. On their arrival at Gortliteragh they gathered in an orderly manner round the church, armed with cudgels, and protesting they would not quietly see themselves deprived of what was dearest to them upon this earth.

The parish priest, Mr. Fitzgerald, assisted by the neighbouring clergy, went incessantly from rank to rank among a crowd of at least 6,000 men, and besought them by the most sacred of motives, not to give way to any acts of violence. For a long time these efforts were useless. Numbers declared that they would fill the body of the church and that nothing but bayonets should get them out of it. At last these worthy priests succeeded in making them understand that their true interests ought to engage them to behave with moderation, and in obtaining from them a promise that they would remain silent and impassive spectators of the operations of justice.

At half past twelve the military came upon the ground. At the head of the *cortège* marched a company of constables, commanded by a sub-inspector: next came the county inspector, and a magistrate, followed by four companies of constables, and a detachment of the 15th dragoons. The under sheriff was in a carriage; 300 infantry and a picket of cavalry closing the procession. Constables included, the number of executive present would probably have amounted to about one thousand men. Upon their arrival they were drawn up in order of battle opposite the crowd, and the officers gave the order to fix bayonets. The under sheriff then demanded in the usual form possession of the Church from Mr. Fitzgerald. The parish priest answered, as on the first occasion, that it was out of his power to put him in possession he having no right. After a short silence, the under sheriff went up to the west door, opened it, and entering with respect, declared that he took possession in the name of the Right Honourable the Earl of Leitrim. One of his under agents then came forward and in the name of his master, was put in possession by the sheriff. A locksmith and his man were immediately sent for who nailed up the door and secured it by a chain and padlock.

The most profound silence had reigned among the crowd during these operations. Upon their conclusion the troops



withdrew. God alone knows the feeling of despair, and the burning emotion, which was manfully stifled by those present. Not a single peasant broke the promise made to the venerable pastor: the most majestic and impressive calmness was the only answer made to violence; and not one of the actors in this sacrilegious execution was molested during their retreat.

Some days later, this act of oppression, which reminded a whole parish of the worst days of religious persecution in Ireland, was held up to public indignation by several members of parliament.

Lord Leitrim did not deem it prudent to brave a sentiment expressed with no less vigour by Protestants than by Catholics. He stated in the papers, and got it stated by his friends, that he had never intended to deprive the parish of Gortliteragh of its church; that he had simply meant to secure the recognition of his right of ownership, which had been questioned, by using the solemn forms of the law. The little village church, for the conquest of which an army of a thousand men had been set in motion, was accordingly restored to the faithful.

Has the promptness of the reparation blotted out the gravity of the insult? In the interest of peace we trust it has; and we have no doubt that the same Catholic clergy, whose authority averted a bloody fray, has used its influence to secure the forgiveness of one of those abuses of power and authority which leave such rankling wounds in the breasts of the weak and the oppressed. But in what other country of Europe could a scene be witnessed such as that we have just sketched? and shall we be considered too severe if we say, with an American economist, that "the character of the present system is so monstrous that it can be paralleled in India alone;" that "a system better calculated to perpetuate barbarism never was devised;"\* and that "the present course of that legislation" (which defines the rights and regulates the use made of property in Ireland) "is the most extraordinary that the world has yet seen, and proves the uniform tendency of injustice to beget injustice."†

Might not the history of landed property in that unfortunate country be summed up in two words, and would not our estimate be borne out both by the past and the present? It is at once the offspring and the parent of Confiscation. It began, in the past, by the violent dispossession of the rightful owners of the soil; and but too often in our own times, it is upheld and strengthened by the appropriation, without compensation,

\* H. C. Carey, of Philadelphia: *The Past, the Present, and the Future*; pp. 387 and 388.

† *Id., ib.*, p. 388.

of the toil the sweat the privations and the sufferings of the class that tills the soil.

That such a system is directly prejudicial to the evident interests of property, and that landlords themselves have nothing but the greatest advantages to reap from a change in the condition of the agricultural classes, may perhaps be clearly proved by a short review of the consequences of the present system of Agriculture, in Ireland.

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## CHAPTER X.

### DEPLORABLE CONSEQUENCES OF THE SYSTEM.

WE have already stated that, as a rule, the landlord hands over to the tenant nothing but the bare land; that he advances no capital to push on the work; that he does not even provide the necessary agricultural implements. What follows from this? "That the tenant brings into an undertaking necessarily requiring capital, nothing but simple labour; he farms badly, because he cannot command the capital necessary to farm well."\*

With few exceptions the tenant has no lease guaranteeing with certainty the security of his holding. He is aware (and the regular serving of notices-to-quit would remind him in case he forgot it) that he cannot count upon the future, and that he must be ever ready to leave the fields he has sown, and the little cabin he has built. Thus unless he have great faith in the personal kindness of his landlord or the agent, he will as a matter of prudence abstain from every enterprise which would require any considerable lapse of time in order to refund his outlay. What a forced stagnation does not such uncertainty bring upon agriculture? If she never steps outside the beaten track of routine, whose fault is it?—the tenant's, or that of the system under which he lives?

Supposing the tenant in spite of this uncertainty be tempted to devote to serious improvements his money his labour and his time, it is but well understood at his own risk and peril. For if all progress in cultivation and every visible improvement of the property be usually followed by a rise in the rent, we have already more than sufficient to dissuade the peasant from any kind of effort, and inspire him with a horror of all

\* M. de Beaumont, I. 134.

progress. To what purpose, in fact, should he exhaust himself in labour to secure abundant harvests, and starve himself to put by money, if the rent is raised in proportion to the progress made, and the improvements effected? What a terrible logic is that which prevents a man from exerting himself to rise above poverty, for the fear of being cast into pauperism for his pains!

But if the arbitrary raising of rent is a cause of stagnation and ruin to agriculture in Ireland, what shall we say of the unrestricted right of confiscation so long enjoyed by the landlord, and protected by the authority of the law, even in cases most evidently unjust? As long as this right exists both in principle and practice, can it be matter of surprise that the farm-houses are so generally wretched, as to be scarcely provided with what is strictly necessary for tillage? Do we understand with what caution tenants, under a periodically renewed threat of eviction, will lay out money when they are in no manner sure of a return? Is it not a lamentable but patent fact, that farmers who save a little instead of capitalizing these savings for the improvement of the land put them into the country banks at a very small rate of interest, whence the great speculators of England and Scotland draw them to push on agriculture in those two countries? Is it not a fact no less notorious and quite as deplorable, that utter poverty is feigned by the Irish tenant in more circumstances than one, in order to dissimulate the happy results of his labour, and that in the but too well grounded fear of having his rent raised, or of seeing the landlord tempted to seize, by simple eviction all that has been built or laid out upon the estate.\*

These fatal but inevitable consequences have escaped the attention of no one, and the apologists of the system are as little blind to them as its detractors. Instead, however, of attributing them to their real cause, they have sought to explain them away by throwing the blame upon the Irish, and have unanimously attributed the backwardness of agriculture in Ireland to the idleness the heedlessness and the drunkenness of the peasantry. They gravely declare that those vices are inherent in the Celtic race, and extol by way of contrast, the unconquerable energy, the perseverance, and love of work of the Saxon race, without however venturing so far as to boast of its sobriety. This is however but a sophism admitting of

\* A venerable prelate related to us that in his diocese, an old farm servant on the point of death recommended his masters two things: 1st—Never to pay exactly the quarter's rent, and to be rather in arrear than otherwise; 2nd—Never to present themselves before the landlord or his agent but in rags. In fact whoever pays regularly or wears decent clothes is too easily suspected of making money, and runs great risk of seeing his rent raised.

an easy answer, and which in fact the soundest publicists both of Europe and America have already exposed. The faults of the Irish are not the cause of the evil consequences attendant upon the system: it is the system which prolongs the fatal reign of these faults. This important remark was long ago made; and we have nothing new to say upon a matter in treating which numbers of authors have proved to demonstration the fact we advance.

"In the ancient chronicles of Ireland," says M. Gustave de Beaumont; "we find that formerly love of work was one of the distinctive features of the Irish people."\*

Such was that people previous to the English invasions, and the conquests which wrested from them their native soil, and reduced themselves to a condition in which nothing encourages them to work at all.

Such they still are, or such they become immediately they get from under a social system, which paralyses their activity, crushes their energy, and holds them pining and enervated in a fatal apathy, in which they are incapable of resisting the gross attraction of intemperance.

An English engineer said in 1837 to M. Gustave de Beaumont, from whom we quote his evidence word for word:†

"I have been entrusted by the English government with the direction of public works both in England and in Ireland, and I have thus been obliged to employ by turns English and Irish workmen: I confess that after this double trial it would be impossible for me to award a superiority to either.

"The Irish workman cannot be judged at the outset. He first begins by mistrusting his employer: he is continually under the impression that some advantage is going to be taken of him, and that he will be made work without being paid. Hence his work is sluggish, unequal, and irregular, and requires constant watching: but when he perceives that the agreement made with him is honestly carried out: when at the end of each week he receives the fruit of his toil, and sees that he is being honestly dealt with, he then takes heart, and I am unable to express the indefatigable ardour, the constancy and punctuality, with which the unfortunate man works, who just before thought himself doomed to die of hunger, and who has found the means of living."‡

Send the Irishman to Australia, or to the United States, or to any English colony, observes Joseph Kay in the great work already quoted, where he can by work and industry become

\* Vol. i., p. 342.

† Vol. i. p. 401.

‡ See also the second *Report of the Irish Railways' Commissioners*, 1838, p. 84; and the *Report on the State of the Irish Poor in Great Britain*; G. Lewis; 1835.

some day a proprietor, and where he is not held enslaved by superannuated laws and customs, and he immediately becomes the most energetic and the most thrifty of colonists; there, he becomes rich faster, he does more, and he works with a perseverance more indefatigable, than any one else so that, he adds, "he forces his rulers to write home to England, as the Governor of South Australia did but a few years ago, that the Irish are the most enterprising, successful, and orderly of all the colonists of those distant lands."\* Place an Irishman in the English army, or in the manufacturing districts of England, and you will invariably obtain the same results. "In the army he makes a first-rate soldier;"† while in Lancashire, where he is sure of earning the worth of his labour, where he is not cheated or oppressed by the bad government which presses him down in Ireland, where he enjoys all that belongs to him in full security, where he is placed on an equality with the English workman, he becomes at once a formidable rival to the latter, and a workman of those that succeed the best;—"all showing, that as far as the Irish are concerned they might be made and would certainly become the best of citizens if they only had the best of institutions under which to live."‡

The Irishman is industrious and prosperous everywhere except in Ireland: this is the unanimous testimony of all the English who have seen them at work in the colonies.§

To this mass of testimony so decisive, and so disinterested, since not a line of it is borrowed from an Irishman, we shall add that of the celebrated publicist John Stuart Mill.

We have seen men, says he, having the highest pretension

\* Joseph Kay; *The Social Condition of the People*; i. 8, 9. † *Id. ib.* p. 9.

‡ *Id. ib.* i. 9.

§ "They are industrious and successful everywhere but in Ireland." (Joseph Kay, i. 310).—Mr. Kay quotes from the *Edinburgh Review* of Jan. 1850, the evidence on this point of English, German, and Polish witnesses, before the Committee on Emigration: "The efficiency and success of the Irish emigrant in Canada is attested by Mr. Pemberton, and Mr. Brydone; in New Brunswick by Mr. Perley; in Nova Scotia by Mr. Uniacke; in the United States by Mr. Mintern; in Australia and Van Diemen's Land by Colonel Mitchell, Colonel MacArthur, Mr. Verner, Mr. Cunningham, Mr. Besnard, Mr. Justice Therry, and the Rev. C. D. Lang. A yet more recent witness is Count Strzelecki, who observes, in his evidence given before the committee of the House of Lords on the Irish poor law: 'The Irishman improves in two or three years by emigrating to Australia; he acquires habits of industry; he learns to rely upon himself more than he does in Ireland; he has an openness in his character, and shows all that he can do, while here he does not show it. . . . I saw Irishmen in the United States, in Canada, and in Australia, living as well as Anglo-Saxons, acquiring their grumbling habits, and thus improving continually their condition. . . . This difference may perhaps be more successfully traced to the consequences of the transplantation from a narrow and confined moral and physical sphere of action, to a larger space, with more freedom and more cheerful prospects of life, and of which they have none at home.'" (*Id. ib.* i. p. 310.)

to instruct their fellows, attribute the backward state of industry in Ireland, and the want of energy of the Irish in the amelioration of their condition, to an indolence and want of forethought peculiar to the Celtic race. Is it not a bitter satire on the way in which opinions become established upon the most important of problems relative to the nature and life of man? Of all the vulgar shifts to evade the study of the effects of social and moral influences upon the soul of man, the most vulgar is to attribute differences of conduct and character to indestructible natural differences. What race is there that would not be indolent and thoughtless, if things were so arranged for it that it can have nothing to gain by being prudent and laborious? The Irishman is not less fit for work than other Celts, such as the French, the Tuscans, or the ancient Greeks. Passionate organizations are precisely those which throw themselves the most readily into great efforts. Because certain human beings are not disposed to make an effort without any motive at all, it by no means follows that they are deficient either in capacity or activity. There is no workman that does more work than the Irishman in England or in America.\*

The Irish moreover undertake to answer for themselves the unjust charges made against them in the matter of the faults which some take a pleasure in considering inseparable from their race. They not only work and grow wealthy in the colonies, but they earn and lay by enough to be able to send home annually large sums to their parents and friends left behind in Ireland.†

Why then should the Irishman be irrevocably condemned to misery in the country assigned him by Providence; since that country is wanting in none of those qualities which usually insure temporal success to individuals and to nations, and since the correction of the system of usages and laws to which he is subject would suffice to give free play to those qualities, and to produce in Ireland as elsewhere admirable results?

It is then the social system which the English conquest has established in Ireland: it is the management of landed property as inaugurated and fixed by the violent process of confiscation; the long and perverse tradition of penal laws; and the spirit of oppression and intolerance surviving an abrogated legislation; which keep the mass of the agricultural and Catholic population in Ireland in a condition such that

\* John Stuart Mill; *Principles of Political Economy*.

† Farther on, in the book on *Emigration*, will be found some interesting details and figures upon this point.

publicists of every colour, English, American, French, and German, pronounce it to be a disgrace to England.

To render still more striking this demonstration touching the position in which an oppression of centuries has placed the Irish Catholic peasantry, we shall compare it with that of the Protestant farmers of Ulster, and that of the peasantry of other European countries. Nothing will more clearly show that the backward state of agriculture, and the wretchedness of the agricultural class in the Catholic portion of Ireland, are chiefly owing to the detestable system which rules landed property in that country.

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## CHAPTER XI.

### TENANT RIGHT OF ULSTER.

WHEN the traveller, after having traversed nearly the whole of Catholic Ireland, from east to west, and compared with each other the three ancient provinces of Leinster, Munster, and Connacht, gets into the north-east region of the island, he is struck by the difference, evident to the least observant, which shows itself in the state of cultivation, the condition of the farmer, and the general appearance of the country. The counties of Derry, Antrim, and Down are, it is true, among the most fertile of Ireland; but they are not naturally richer than the counties of Cork and Limerick. The latter indeed are preferable in a geological and chemical point of view; and nevertheless the greater part of the province of Ulster presents, when compared with the rest of Ireland, a contrast of which it is important to point out and probe the causes.

Some publicists, particularly Irish publicists, have attributed this relative prosperity solely to the peculiar custom prevalent in this part of Ireland, called *Tenant-Right*.

This custom originated in the colonization of Ulster, effected during the reign of James I. The enormous extent of land of which the Catholic inhabitants of this province were stripped, at one blow, was handed over to an army of English and Scotch invaders, who were simply desirous of getting rent from their new property without making any advance of capital, and most frequently without being obliged to reside in the country of which royal largesse had just declared them the proprietors. Too glad to find farmers who would undertake to cultivate these lands and pay the rent, they let out

their property on terms highly advantageous to the tenant. The Ulster farmer was, thanks to these conditions, a kind of landlord; liable only for an annual rent, and having the right to sell his lease to another, and to demand a consideration for the capital spent upon the property.

This right, or more correctly this custom, for it existed by virtue of no written law, is what is termed the Ulster Tenant-Right.\*

It is not the publicists of Ireland alone who have boasted the advantages of a custom which generally puts the farmer beyond the reach of legal eviction and of the irreparable misery which it brings upon the agricultural class in other parts of Ireland.

The Commission of 1843, whilst making reservations against *Tenant-Right*, in the interest of the absolute right of ownership, allows that in the districts where this custom is in force the general state of cultivation is far more satisfactory than in the others.†

\* We sum up this theory of *tenant right* (concerning which we gathered special information in those counties where it is still in vigour) from the Parliamentary document of the Devon Commission, already so frequently quoted :—

“This custom dates from a very early period, having probably sprung up as a natural consequence from the manner in which property was generally granted and dealt with in that part of the country.

“Large tracts having become the property of public bodies, or of individuals resident at a distance, the landlords were well contented to let their farms to those who would undertake the cultivation and the entire management, reserving to themselves a rent, but making no expenditure, and exercising little interference with the land.

“Under such circumstances, it seems neither extraordinary nor unreasonable, that a tenant quitting a farm, either at his own desire or from any difference with his landlord, should obtain from his successor a sum of money, partly in remuneration of his expenditure and partly as price paid for the possession of land which the new tenant would have no other means of acquiring.”—(*Digest of Evidence*, Part II., p. 1119.)

† “Anomalous as this custom is, if considered with reference to all ordinary notions of property, it must be admitted that the district in which it prevails has thriven and improved, in comparison with other parts of the country.” (*Digest of Evidence*, II., p. 1120). “There is a spirit of industry and independence among the peasantry and an energy in the manufacturing and commercial classes, superior to any other part of Ireland. The farmers, small and large, are more thrifty and more desirous to improve their farms than elsewhere. Education is more widely diffused, and the amount of social comfort is greater than in most other parts of Ireland.”—(Jonathan Pim; *Condition and Prospects of Ireland*; p. 49.)

See also the long list of evidence collected by the Devon Commission: The evidence of Mr. James Sinclair, magistrate at Strabane (Tyrone): of Mr. Francis O'Neill, (“I think the tenant-right has a very good effect both for the landlord and for the tenant.”); of Mr. Griffith, Government Engineer; of Captain Cranfield agent of Lord Powerscourt (“I think there is a manifest benefit to the tenant, and in some respect to the landlord, whose rent is always secured”); of Mr. Stannus, agent of Lord Hertford, (“I should wish to see the tenant-right upheld. It is that which has kept up the properties in the north of Ireland over the properties elsewhere.”)



This same Commission did not hesitate to say that a general or too sudden abrogation of this custom, or the too direct interference of the law in relations so long tolerated by it between landlord and tenant, would inevitably give rise to grave evils.\*

The Ulster tenantry looked upon this custom as a traditional right, to endeavour to deprive them of which would be highly imprudent, and which they would have defended in arms had any systematic attempts been made by the landlords to do away with it.†

As early, however, as 1845 many landlords were known to be attempting the diminution or even the annihilation of Tenant Right on their estates: these efforts had been made chiefly in counties bordering on those where this custom did not exist; and since that time many new landlords, either after having bought off the *Tenant Right* of the occupant, or having explicitly disallowed this custom in the agreement, have succeeded in doing away with the privilege of the Ulster tenantry, and re-established in their entirety the rights of ownership which had been divided by *Tenant Right* between the landlord and tenant.

A custom analogous, but known by a different name, existed too in many counties of England and Scotland. Its disadvantages, in an agricultural point of view, have frequently been compared with the advantages resulting from it. The chief objection to it was the high price paid for it; which was an enormous burthen to the in-coming tenant, drained at once all his resources, and left him without the means of meeting the most necessary expenses.‡

\* "Although we can foresee some danger to the just rights of property from the unlimited allowance of this 'Tenant-Right,' yet we are sure that evils more immediate and of a still greater magnitude would result from any hasty or general disallowance of it, and still less can we recommend any interference with it by law." (*Dig. of Evid.* ; II., 1120.)

† "The disallowance of Tenant-Right is always attended with outrage. . . . . If systematic efforts were made amongst the proprietors of Ulster to invade Tenant-Right, all the force at the disposal of the Horse-Guards would be insufficient to keep the peace."—(Evidence of Mr. Handcock, agent of Lord Lurgan in the counties Down, Antrim and Armagh, before the Devon Commission.)

‡ M. Léonce de Lavergne: *Economie Rurale de l'Angleterre, de l'Ecosse, et de l'Irlande* ; p. 403.

In its enquiry of 1843, the Devon Commission states that in many districts of Ulster, the amount paid by the in-coming to the out-going tenant was frequently equal to ten, twelve, and even fifteen years' purchase on the rent. Hence the landlords were obliged to restrict this quasi-right of the farmers by watchfulness, and by a very lawful control over the transactions of tenants in this matter. In fact, how could it be expected that the farmer, who had paid over to his predecessor a large sum completely disproportioned to the supposed profits of his farm, would be able to pay his rent regularly?

"Proprietors generally have been enabled to place a restriction upon this

It had also been ascertained, especially in Scotland, that, in a certain number of cases, the existence of this custom had given rise to fraud and chicane; it induced farmers to look rather to the indemnity they might get upon their out-going, than to good farming in itself: and speculators, either more skilful or less scrupulous than others, had been known to shift from farm to farm, from compensation to compensation, and always pocket something by the change.\*

These disadvantages, together with the fact that *Tenant-Right* limits the right of the landlord, and subjects him to certain restrictions, have rendered public opinion in England and Scotland unfavourable to this custom; and it is visibly declining in Ulster; because being founded upon no law, no written deed, it depended simply upon the good-will of the landlord, who is evidently interested in the possession and exercise over land and tenantry of the same absolute rights which are in force in the rest of Ireland.

Is *Tenant-Right*, however, the sole cause of the relative prosperity of Ulster? Would its general abrogation immediately reduce the agricultural population of that province to the same disastrous condition as that of the same population in other parts?

Irishmen generally answer this question in the most affirmative manner, without qualification of any sort.

The problem appears to us however a more complex one.

It is an incontestable fact that *Tenant-Right* has contributed to the well-being of the agricultural class and to the progress of agriculture. The adversaries of *Tenant-Right*, themselves admit it;† and no one can be surprised at these results, since this usage secures to the cultivator important guarantees, restricts to the utmost the right of eviction, and in case a tenant is forced to quit his farm indemnifies him for his outlay. On the other hand it is certain that the abolition of this custom deprives the farmer of material privileges, and increases indefinitely the rights of the landlord without putting into the hands of the tenant anything like an equivalent counterpoise.

Is there not however another element to be taken into account, which will perhaps not allow us to attribute directly to

*Tenant-Right*, so far at least as to secure a power of selection with respect to the tenant, and to place some limit on the amount to be paid; wisely judging that a tenant who pays a large sum of money (part of which he probably borrows), in entering upon a farm, will be crippled in his means for the proper management of it."—(*Dig. of Evid.*; II. 1120.)

"The terms of transfer are often high. They vary from five to fifteen years' purchase on the rent."—Wiggins; *Monster Misery of Ireland*.

\* L. de Lavergne; *Economie Rurale*, p. 403.

† See Report of Devon Commission already quoted.

*Tenant-Right* so much influence for good, nor to its abolition so many consequences disastrous to tenantry and agriculture?

Ulster, it is well known, is the Protestant colony of Ireland. In other parts the Protestants are thinly scattered, and as it were lost, among the Catholic population. There alone are they to be found in great numbers, forming a compact body.\* In the other provinces the rich landlord is very generally a Protestant, and the majority of his tenantry Catholic. In Ulster it very frequently happens that the landlord and his tenants being of one race and one creed are united by the same interests, and connected by those relations of mutual confidence and good-will which exist in England between the members of the high aristocracy and their tenantry.

We have seen how, in other provinces of Ireland, the ordinary motives of great evictions have of late years been, either systematic plans of farm-consolidation, or that political and religious rancour which puts the tenant absolutely at the mercy of his landlord.

In Ulster the advantages of flax growing, one of the sources of the wealth of this province, prevent the landlord from seeking an increase of his fortune in the consolidation of farms and the extension of pasturages: and moreover the identity of political and religious interests between landlord and tenant excludes those fatal causes of eviction which work on so large and calamitous a scale in the rest of Ireland. We may then presume, that even without *Tenant-Right* the farmers of Ulster, at least the Protestants, would never have been subjected to the same arbitrary and oppressive system which weighs down the Catholic peasantry of the other provinces; and that, supposing *Tenant-Right* abolished, although farmers would undoubtedly lose many considerable advantages, we may still believe that the good understanding between them and their landlords arising from a community of origin and religious opinions would secure them from all the abuses which in other parts of Ireland originate in the antagonism of race and creed.

The space occupied by *Tenant Right* in the innumerable discussions originating in the complex question of landed property has in nowise diminished on this account: and we must confess that the adversaries of the present system were, in a certain measure, right when they contrasted the deplorable state of agriculture in the Catholic provinces of Ireland with

\* Whilst in Leinster, Munster and Connacht together, the Protestants (Anglicans, Presbyterians, and other dissenters) number only 426,471; in the province of Ulster alone they number 1,046,667. (*Census of Ireland*, for 1861, page 6.)

the manifest and acknowledged results of *Tenant Right* in Ulster.\*

Neither were they less logical when endeavouring to expose in an irrefutable manner the deplorable results of the landed property system in Ireland, in the contrast made by them between that system and the one which has obtained in all the other countries of Europe.

Let us sum up the very interesting considerations to which this comparison has given rise on the part of the most learned of contemporary publicists.

## CHAPTER XII.

### CONDITION OF THE AGRICULTURAL CLASSES IN THE OTHER COUNTRIES OF EUROPE.

BEFORE going upon the Continent we must cast a rapid glance at the state of agriculture and the condition of the farmer and agricultural labourer in England.†

The agricultural produce of the United Kingdom is estimated at about £80,000,000 (gross produce). England alone supplies five-eighths of this amount. The total, distributed by the acre over the whole surface of the United Kingdom, gives the following results:—

England . . . . .	£8 0 per acre
Lowlands of Scotland, Ireland and Wales	4 0 „
Highlands of Scotland . . . . .	0 8 „

results the difference between which, says M. Léonce de Lavergne, is explained in the case of Scotland by the irreclaimable sterility of the greater part of her soil, and in the case of Ireland by her peculiar political and social situation.‡

\* M. Léonce de Lavergne calls attention to the remark of Mr. Campbell Foster, that *Tenant Right* produced in the county Down, one of the rich st and most prosperous counties in Ireland, results very different from those produced by it in the county Donegal, where misery was at its climax. In fact the population of the county Down is chiefly Protestant, that of the county Donegal chiefly Catholic. (In the county Down, Protestants of all denominations 202,616; Catholics 97,234. In the county Donegal, Protestants, 57,197; Catholics 177,560.) Making allowance for certain material differences between the particular forms of this custom in the two counties, would this not go to prove that *Tenant Right* is not the only element upon which this question is based, and that political and religious influences also should be taken into account?

† We here follow M. Léonce de Lavergne in his *Economie Rurale de l'Angleterre, de l'Ecosse, et de l'Irlande*.

‡ *Econ. Rur.* p. 79.

It is true that a large proportion of the English farmers have no leases, and live as mere tenants-at-will: still there is in that country a general disposition to grant leases, and even long leases.\* Moreover tenure-at-will has never produced in England the manifest mischiefs which it has entailed on Ireland.

To treat his tenantry liberally, in order to induce the tenant in his turn to use fairly the land he occupied, is evidently the interest of every landlord. To let to a tenant a strip of bare land, without tenement, outhouses, or agricultural implements, is as rare a case in England as it is a common and almost general one in Ireland.† Although in the system of tenure-at-will there is no lease to secure the future to the tenant, still he finds a guarantee in something better than a written deed: in those traditional relations, namely, of good-will and equity, which in England attach the farmer to the landlord: a powerful tradition, universally respected, protected by that aristocratic honour of which the English nobility is so jealous, and which in a certain measure merges the distinction of classes in the unity of one same family.

Thus, whilst the Irish tenant hides his money, when he has any, and instead of laying it out on his farm, puts it into the country banks at a low rate of interest; the English farmer “invests his capital in the land with absolute confidence.”‡ . . . . “The small farmer who has but from fifty to a hundred pounds no more hesitates than the capitalist with ten or a hundred times the amount. Both the one and the other invest at the same time, most frequently on the strength of simple yearly tenure, to an extent which to us would appear enormous, and upon which among us proprietors alone would venture.”§

What encourages the English farmer is the evident interest taken by the rich landlords and the high-bred members of the aristocracy in the progress of agriculture and in the well-being of the families engaged in it. But too often, as we have

\* *Economie Rurale*, p. 120.

† *Letters on Land Tenure*, by John Geo. MacCarthy, Alderman of Cork. Cork, 1859; p. 8.

‡ *Economie Rurale*, p. 120.

§ “The farmers of England proper have about the same income from the lands they cultivate as our proprietors from the lands they own . . . . Hence the social weight of that class which is not less firmly settled upon the land than the class of proprietors. They are called *gentlemen farmers*. They are for the most part in modest but easy circumstances. This ease has been wrought by hereditary labour. They enjoy it as a fortune honestly but laboriously acquired. They do not care to become landlords; their position is far better. To have £300 a-year income as a landlord at least £10,000 capital would be necessary; whilst £3000 would suffice to bring an equal income to the farmer.”—*Economie Rurale*, p. 94.

already stated, and in spite of a recent and marked improvement in this regard, the great Irish landlord is an absentee; represented on his estates by an agent; knowing his tenants only by seeing their names entered in alphabetic order in his books; and only enough of his estates to be able to say they bring in such and such an amount per annum,—whilst these rents benefit but very indirectly the country whence they come, and the labourers who send them.

The greater part of his time is spent by this same *absentee*, so imperfectly known to his Irish tenantry, on his English estates; where he encourages by his presence, frequently by personal enterprise, agricultural labour; and where he circulates in his immediate neighbourhood by the expenses of his establishment a good part of the income paid in by his tenantry. “In England,” says M. de Lavergne, “the work of the towns pays for the luxury of the country. There are spent nearly all the treasures which the most industrious of peoples can create. A large share of it flows back into the cultivation of the ground. The closer and more assiduous the relations of the landlord with his estate, the more he is tempted to keep it in good order. Self-love, that great stimulus is at work. He does not want his neighbours to see ruined tenements, impracticable roads, tumbled down wains, ill-fed cattle, and neglected fields. Pride forces him into productive expenses, just as in other circumstances it drives him to frivolous ones by the contagion of example.”

The most illustrious members of the English aristocracy live the greater part of the year on their domains, where all the interests and destinies of the agricultural class are at stake: and certainly it is a powerful encouragement to the humble peasant to see a Duke of Norfolk, a Duke of Devonshire, a Duke of Portland, and many others like them, give him a kindly wave of the hand whilst he drives the plough, and inquire with affectionate curiosity into his gains and his losses, and his hopes for the coming year; and to see them foremost in trying those new methods, or improved implements, which facilitate agricultural labour. It is well known that the Queen and her husband\* are amongst the foremost in giving that good example and in encouraging not only by their presence, but by their works the most useful of all industry. “Prince Albert himself manages a farm at Windsor, on which are bred and fattened the finest cattle in the three kingdoms. The show prizes generally fall to his stock. At Osborne, where she passes a considerable portion of the year, the Queen

\* This was written before the death of Prince Albert, which took place on the 14th December 1861.

looks after a poultry-yard of which she is proud, and the newspapers lately announced that she had just discovered a cure for young turkeys attacked by the pip. That which among us is looked upon as ridiculous, is taken very seriously by our neighbours; and they are right a hundred times over. Happy and wise among nations is that which loves to see its princes give themselves up to these useful distractions!"\*

The farmers and the general interests of their property are not the only objects of the intelligent solicitude of the great landlords. The day-labourers are also influenced very directly by the constant and enlightened pains bestowed by the landlords on all that touches the working of the land, and the condition of the labourer and his affairs. "Public opinion requires the landlord to take paternal care of his day-labourers, to look after their instruction, and their moral and material well-being; and the greatest lords make it a point of honor to fulfil this duty. Many of them put up roomy and healthy cottages which they let at a very moderate rent. Prince Albert, foremost in giving good example to all, exhibited under his name at the Crystal Palace, a model of this kind of building. A little patch of ground is generally attached to the cottage, where the occupant can grow a few vegetables. This is called an allotment.† On all large estates the owner builds chapels and schools, and encourages associations of general utility."‡

Hence it is that agriculture in England is in such a flourishing state: hence it is especially that the greater part of those difficulties peculiar to the Irish system are unknown there. The landlords neither abuse their rights, nor are the tenants the victims of their own labour. The interests of the landlord and the tenant are not in conflict; they are a mutual support to each other, and the reciprocal confidence of the two classes will be to England, should she one day have to face a social crisis, one of the firmest pillars of imperilled order.

It has then with truth been said, and the dictum may serve as a synopsis of the comparison we have instituted between

\* *Economie Rurale*, p. 146.

† We remember having seen something of this kind on one of Lord Palmerston's large Irish estates, on the road from Sligo to Ballyshannon. A few years ago it was an uncultivated bog. This bog, reclaimed by drainage, is divided into small lots, each of which holds the cottage and garden of a tenant or a labourer. These small but neat houses, built on the same model, running along both sides of the road, and surrounded by well-kept gardens, form a very pretty village. Lord Palmerston has also built a school there. How much is it to be wished that such an example were followed by all landlords!

‡ *Economie Rurale*, p. 195.

the two classes, that: "an English farmer would almost cut his throat rather than take land under the ordinary conditions of an Irish tenant-at-will;" and that "an Irish tenant-at-will would deem himself 'as happy as a king,' if he got the ordinary terms of an English farmer."\*

Close to Great Britain, the Anglo-Norman Islands, and particularly Guernsey and Jersey, enjoy an amount of agricultural prosperity which has more than once excited the admiration and envy of Ireland. The situation of landed property in those islands, the state of agricultural labour, and the relations existing between landlord and tenant, possess enough of interest to warrant a few detailed remarks.

To believe a certain school, the consolidation of farms, the extension of large estates, and a rapid decrease in population are the conditions necessary for the regeneration of Ireland.

In the Anglo-Norman isles we find prosperity the most incontestable, and of sounder character, under directly opposite conditions. At Guernsey and Jersey farms are so small that they are generally cultivated by the spade alone.†

The farmers breed but few sheep, but they have an excellent breed of cattle peculiar to these islands. The greater part of the agricultural produce is sold and consumed in the interior of the country: orchards and gardens are very numerous there, and land fetches an astonishing price. According to a very reliable work on local statistics, published in 1841, the amount brought in annually by the poor land in Guernsey is £2 the *vergée*, (a local measure); which would make £5 per English acre, and £8 per Irish acre. The amount brought in by good land is estimated at £3 per *vergée*; or say £8 the English acre, and £13 the Irish acre. In the vicinity of towns the price of land is still higher.‡

It is true that since the publication of these statistics the Repeal of the Corn Laws has deprived the farmers of the Anglo-Norman islands of their commercial privileges, and that the free competition of foreign produce in their markets must have lowered the price of land. Some go so far as to pretend that in consequence of this commercial revolution, and of the potatoe disease, the price of land has fallen twenty-five per cent. Taking however all these circumstances into consideration, it is still certain that the farmers of these isles are in a prosperous condition, and that land fetches a high price there.

\* *Letters on Land-tenures*, p. 8.

† Mr. Scully, M.P. for Cork Co. Extracts from his book were quoted in the *Dublin Telegraph* of Feb. 25th, 1852.

‡ "Incredible as these statements may perhaps seem, they have been seriously made by experienced writers, well acquainted with Guernsey, and who have stated them as facts familiarly known." (Work last quoted.)



The population of Guernsey, which in 1841 was 26,706, amounted in 1851 to 29,732: that of Jersey increased during the same period much more rapidly, having risen from 47,556 to 57,155, an increase which has been continuous, and from which the prosperity of the country has in nowise suffered.

In Jersey and Guernsey there are poor indeed; but they are liberally relieved, either at home or in the workhouses set apart for their reception; and beggars are nowhere to be seen.\*

Not only is the population of these islands able to provide abundantly for its wants, but in the crisis which Ireland has passed their inhabitants came forward eagerly and generously to the assistance of their unfortunate neighbours.†

It is of importance to bear in mind that, in these islands, the greater part of the soil belongs to yeomen; who cultivate the land themselves. A number of farmers also without being absolutely landlords enjoy a right of quasi-ownership by perpetuity of tenure, and simply pay a rent, either fixed, or fluctuating according to the market price of wheat;‡ and all, both landlords and farmers, live in comfort, bring up their families respectably, and boldly enter upon improvements for which they are certain to be largely remunerated.§

"These islands in fine," we may state with Mr. Léonce de Lavergne,|| "have neither to govern themselves administratively nor executively, nor to defend themselves; their only business is to be happy, and they are happy: a small and monotonous happiness if you will, but old and respectable. They have shone neither in the arts in politics, nor in war; their part is a more modest one. Industrious and peaceful lives, they are an instance of *what may be done in the end by unshackled labour.*"

Such is the result, standing at the very door of Ireland, of an enlightened system of agriculture: such the natural consequences of work done in liberty and security, and according to the old benediction of God, giving joy and abundance to

\* "A beggar in Guernsey is a being of a past age" . . . . ; a remark already made by an author as early as the seventeenth century, "There is not one beggar to be seen in the island." (Dr. Heylin, in a description of these islands published in 1652.)

† The island of Guernsey alone figures in the subscriptions of 1847 in favour of starving Ireland for £3000.

‡ "This annual interest constitutes a fixed or fluctuating income, payable to the owner in the nature of a money or of a corn-rent." (Mr. V. Scully.)

§ "He is sufficiently educated to be able to read and write. He and his family are well clad, with a good house and homestead, and a small capital either laid by or invested in the purchase of his farm. In few parts of the world is there greater comfort among all classes." (*Id. ib.*)

|| *Economie Rurale*, p. 308.

those who have borne the burthen of the day and the heat, and watered the furrows with their sweat.\*

Let us now cross the strait which separates the British islands from the continent, and make a few inquiries from the publicists who have made the social state of the agricultural classes of Europe the object of their special study.

This grave and interesting question has been gone into in an especial manner by a learned Englishman, Mr. Joseph Kay, to whom the University of Cambridge confided the mission of travelling through Europe, in order to examine closely the social condition of the agricultural and working classes, and the different systems of popular education. After having visited England, Wales, Scotland, and Ireland, Mr. Kay travelled during eight years in Prussia, Saxony, Austria, Bavaria, Wurtemberg, the Duchy of Baden, Hanover, the Duchy of Oldenburg, Lombardy, Switzerland, France, Belgium, and Holland.†

The amount and weight of the evidence brought by this publicist to bear upon his personal observations, and the striking unison between his conclusions and these of other authors, whether French, Swiss, or German, who have studied this same problem, give to the results of his laborious and intelligent investigation a very high value.

The conclusion adopted by the learned master of arts of Cambridge, as the summary of his enquiry, is much as follows:

Wherever the old feudal laws have ceased to govern landed property and to exclude from the direct possession of the soil the mass of the agricultural population,—there especially where the peasant is personally and individually interested in the development of the earth's resources by his labour,—agriculture is in a flourishing condition; the labouring classes are comfortably housed, clothed, and fed; and the whole country is sensibly benefitted in the matter of well-being, riches, education, and morality.

Two neighbouring German countries, Saxony and Bohemia,

\* “Hoc itaque visum est mihi bonum ut comedat quis et bibat et fruatur lætitia ex labore suo, quo laboravit ipse sub sole numero dierum vitæ suæ, quos dedit ei Deus, et hæc est pars illius.

“Et omni homini cui dedit Deus divitias atque substantium, potestatemque ei tribuit ut comedat ex eis, et fruatur parte sua et lætetur de labore suo : hoc est donum Dei.” (*Eccl.* v., 17, 18.)

† “I undertook the greater part of these journeys in order to examine the comparative conditions of the peasants and operatives in these several countries, the different modes of legislating for them, and the effects of these different modes of legislation upon their character, habits, and social condition.” (*Vol. i.*, p. 5.)

The celebrated English political economist, Mr. John Stuart Mill, availed himself largely of Mr. Kay's book in the second part of his “*Principles of Political Economy*,” (ch. vi. vii. and viii.)

afford an opportunity to the traveller to compare, as it were at a single glance, the two systems:

When we pass the Saxon frontier, says Mr. Kay, we find ourselves surrounded by a crowd of beggars of the most miserable appearance, who remind us most forcibly of what we see in Ireland: the peasants who do not beg are very badly clothed, wear neither shoes nor stockings, and are often covered only with rags; their dwellings are very small and in bad condition; generally the villages are but collections of miserable wood cabins, in which the families of the peasants swarm pell-mell; the land itself is but half cultivated.

In Saxony, on the other hand, mendicancy is rare; the houses of the peasants are roomy, well built, of more than one story, whitewashed, and kept in good order; the children are clean and suitably dressed; the land is perhaps better cultivated there than in any part of Europe; and the condition of the cultivators is of the most prosperous that can be seen.

And whence comes this contrast? . . . In Saxony the feudal laws, especially those of substitution, have disappeared; the peasants are proprietors of the land they cultivate, and have an interest in making it produce the utmost possible.

In Bohemia the land belongs to a few great families, who get it managed by their Agents, and confine themselves to the receipt of their rents, which they then spend at Vienna. "The peasants of Bohemia, therefore," concludes Mr. Kay, "like the peasants of Ireland feel no interest in the soil or in its proper cultivation, as they derive no benefit from it, and as they are deprived of any chance of acquiring land, and of raising themselves in the social scale; while those who can think at all are exasperated by seeing the fruits of their labour and of their country spent among strangers at Vienna."\*

Another country of Germany, Prussia, changed her system during the beginning of the present century; and nothing is better calculated than such a change to show the manner in which a country is affected by the laws, the constitutions, or the usages which govern landed property there.

Up to the year 1805, the landed property system in Prussia was analogous to that which obtains to-day in Ireland. The land was exclusively in the hands of a very wealthy and very scanty aristocracy: under it the mass of the agricultural population laboured simply for the benefit of the large land-owners. Under these conditions the progress of agriculture was so slow that on several occasions the government was obliged to make large advances of capital to the landlords, in order to enable them to try better methods of farming.

\* *The Social Condition, &c.*; vol. i., p. 13.

According to the Minister Stertzberg, Frederic II. advanced in this manner, between the years 1763 and 1786, over twenty-four millions of thalers; and, in spite of this amount of encouragement, agriculture remained in a state of utter stagnation. The enlightened and energetic measures of the ministers Stein and Hardenberg wrought in Prussia a peaceful but profound revolution, and created a class of peasant land-owners. The face of the country immediately changed; the peasants, directly interested in the fertility of these vast plains, spared neither labour nor money. They very quickly understood that the best use they could make of their savings was to invest them in the improvement of the land. Produce in corn and kine rapidly increased;\* the population gained in number as it gained in well-being; and Prussia was not reduced to boast of a social prosperity such as that boasted of for Ireland, a prosperity bought by the death or emigration of many millions of men.

In certain parts of Switzerland the partition of land into small lots has brought about results still more surprising. In the Canton of Zurich the state possessed vast domains which were split up and sold to the peasants. Messrs. Knonau and Pupikofer both agree in their statements, that since the introduction of that measure a third or even a quarter of those large domains produces as much corn and feeds as many head of cattle as did the whole under the former system.†

The change evident in France has been neither less radical nor less fruitful, since the disappearance of feudal servitude, and since the majority of those who used to till for others have themselves become owners, and reap directly the fruits of their labour.

"The land of France," said the German Reichensperger, a dozen years ago, "nourishes at the present day 34 millions of people in a better manner than it used to nourish 25 millions before 1789"‡

What would not have been in France the strides of agriculture, had it not been for the continual wars of the Republic and the First Empire, in which perished a million of men suddenly torn away from the labour of the fields for the more

\* In 1805 the corn crops amounted to forty-four millions of bushels; in 1861 to sixty-eight millions. (Dieterici's *Statistics of Prussia*, quoted by Mr. Joseph Kay, I. p. 121).

† "Very often a third or a fourth of the land which formerly belonged to the state, and was let out to farmers, produces at present as much corn and supports as many head of cattle, as the whole estate formerly did, when it was cultivated by leasehold tenants."—(*Gemälde der Schweiz*; quoted by Mr. Kay, I. 245.)

‡ Quoted by Kay; I. 328.

glorious but more sterile work of military conquest? Returning modestly to the plough, the children of these heroes betook themselves with ardour to their great and noble work: they reduced the amount of waste land, and they have learned and applied better and surer methods of fertilising the land: they are beginning to turn manufacture to the benefit of agriculture; and the generous land of France is rendering a hundred fold the sweat that waters it.

There are undoubtedly shadows in this smiling picture: the love of the peasant proprietor for his little piece of land may degenerate, we know, into selfishness and cupidity; and it is not altogether certain that the sacred laws upon which God wished the existence of the family to be based are not gravely outraged by this excessive love of property: but is there anything good, useful, or even holy which has not been abused by men? Who would pretend to restore the feudal system on the pretext that the run of modern institutions opens the door to more than one bad or unjust passion? And for the rest whether people will it or will it not, this system carried away by the storm of revolution is irretrievably lost: such laws and such usages will never again regulate the dealings of man and man.

Men now desire, and they are right, that the labourer be henceforth no serf "*taillable et corvéable à merci*,"\* doomed to unintermitting exhaustion in order to support by his privations and his misery the luxury of a few great families. If such be the system of landed property in Ireland, that system can no longer hold together. It is seared with such a brand of injustice as will sooner or later force it to disappear. To work, but to enjoy both for oneself and one's own a fair amount of profit for one's own work, (since these two things are correlative, and since the arbitrary will of man must not separate two things between which God has established a necessary bond); to work, but with the possibility of bettering one's lot, and of bringing up one's family properly, (since the labour which does naught but grind down whole generations in irremediable wretchedness, is a grave disorder for which Providence is not responsible, and which is solely the result of human passion and crime); such is the law, at once old and

\* Let us remember the picture drawn by La Bruyère of the agricultural classes in the reign of Louis XIV: "We see certain wild animals, male and female, scattered over the country; black, livid, all burnt by the sun; attached to the earth, which they dig with invincible obstinacy; they have a sort of articulate voice, and when they rise up on their feet they show human features, and in fact they are human beings; they retire at night into dens, where they live on black bread, roots, and water; they spare other men the trouble of sowing, of tilling, and of reaping for their food, and thus they deserve not to be in want of the bread they have sown."—(*De l'Homme*.)

new, upon which are for the future grounded the relations of the working classes with the higher classes of society. Wherever this law is violated, there is disorder, public calamity and restlessness throughout the whole framework of society.

The system of tenures in Ireland was then damned both by its deplorable results, and by the comparison which it was impossible not to institute between the social state of Ireland and that of other countries. The greatest men in England were deeply humiliated at being obliged to own that the saying of Sir John Davies, attorney-general of James I., current in the beginning of the seventeenth century, could in all truth be applied to the Ireland of the nineteenth century: the Irish labourer is, he said, "more miserable than a bond slave; because the bond slave was fed by the lord, but in this case the lord was fed by the bond slave."

They themselves proclaimed with noble frankness that Ireland was the disgrace of the British empire;\* and that it was humiliating to think that "there was not a foreigner, no matter whence he came, be it from France, Russia, Germany or America—there was no native of any foreign country, different as their forms of government might be, who visited Ireland, and who on his return did not congratulate himself that he saw nothing comparable to the condition of that country at home."†

It was not enough, however, to condemn and stigmatize this system with a severity of language which does honour to English conscientiousness and honesty; the main point was to devise and administer a remedy. Public opinion was everywhere shocked, in England as well as on the Continent: it was a matter of urgency to give satisfaction other than is to be found in sterile speeches and protests.

What was to be done? What embarrassment and perplexity was there not in a question in which it seemed impossible to redress the grievance of one class without violating the rights of another? and was it not then a piece of unpardonable rashness to broach publicly a point of such moment, and to unveil the revolting abuses of ownership in an age when the primary principles of social order were questioned, or denied, with the most flagrant audacity?

Two distinguished foreign publicists Mr. Von Raumer and Mr. de Sismondi, had gone to the very marrow of the problem. Considering the origin of landed property as it exists at the present day in Ireland,—that is to say a confiscation repeated

\* "Ireland is our disgrace;" (speech of Lord Grey, in the House of Lords, March 23rd, 1846.)—(*Hansard's Parliamentary Debates*, vol. lxxxiv. p. 1345.)

† Same speech.

three or four times in contempt of every right, and by the most infamous of means;—considering especially the results to the ancient race of that violent dispossession;—they did not hesitate to say that all leases ought to be abolished and the farmers made proprietors in fee.\*

These two publicists had however no legislative mission to fulfil in the case of Ireland. The members of the British cabinet certainly cannot be blamed for having quailed before a bold measure, the effect of which might so directly influence the whole system of English institutions. Doubtless the ancestors of the present owners had been enriched by spoils violently torn away from the rightful lords; and their right had been simply that of the stronger who seizes the property of the weaker. Property in Ireland was vitiated in its origin to a greater extent than in any other land in Europe, and bore a stain which time has not effaced: but would it be just to ruin the descendants of Elizabeth's favourites or Cromwell's troopers, under the pretext that two or three centuries ago their fathers had entered upon the possession of ill-gotten wealth?

Were such a principle current, and were the right of retaliation of present upon past generations admitted into the code of nations, what society would escape the most fearful of catastrophes? What would history become, but a long and bloody catalogue of social *vendettas*? Have men nothing more to the purpose to do than to cast in one another's teeth, with a sword in one hand, and a revolver in the other, the crimes of their fathers?

But, between a revolution so profound and radical as would have been inaugurated by the systems of Messrs. Von Raumer and Sismondi, and the unqualified maintenance of the present system with all its abuses and deplorable consequences, some mean was certainly to be looked for, by which without violently ejecting the landlords the position of the tenant might be bettered.

What attempts have been made in this direction? What positive measures has the English Government taken to eradicate the vices and prevent the abuses of ownership as existing in Ireland?

\* This is equivalent to saying: Ireland has been robbed; restitution must be made to her. (M. Von Raumer, *L'Angleterre en 1835*: M. de Sismondi: *Etudes sur l'Economie Politique*; vol. i. p. 331.) The latter, slightly less radical than Mr. Von Raumer, would have the right of the Irish landlords changed into a right to a perpetual rent; and he lays down as a principle that the right of the legislature to regulate the conditions of the contract between landlord and tenant, and consequently to set limits to the rights of ownership, is perfectly incontestable. This is, after all, but what was done in Prussia by M. Von Hardenberg; (see M. de Beaumont, vol. ii.: notes, p. 327.)

There are two such measures.

1st. The establishment of the *Incumbered Estates Court*.

2nd. The bill of 1860, known by the name of "*The Landed Property Improvement Act*."

What is the value of these two measures? what results have been, and what are likely to be, obtained by them? What efficacious change have they brought about in the condition of the tenantry? What benefits are likely to be the result of them to the landlord, the tenant, to agriculture, and to the general situation of the country?

In the following chapters we shall attempt an answer to these new and important questions.

## CHAPTER XIII.

### THE INCUMBERED ESTATES COURT.

UP to within the last few years the existence of moderate and small properties was absolutely out of the question in Ireland. The disadvantages arising out of the concentration of great estates in a small number of hands were manifest; but these disadvantages appeared irremediable by reason of the civil laws, which being enacted in favour of the aristocracy were radically preventive of the partition of the soil, and kept land out of the market.\*

The laws ruling landed property in Ireland, identical with those which govern it with England, hedged in all transactions touching real property with obscurities and difficulties of every kind.†

\* M. de Beaumont, vol. II., p. 175.

† Up to the xvii. century, land in Ireland was not subject to the ordinary feudal laws, but to an old national custom, called *Gavel-kind*, by which, upon the death of the father, the lands were divided among all the children without any privilege to the eldest son. This custom obtained in early times among all the Breton tribes; and in England, in the county Kent, the equal division of the land among all the children is accordingly a principle of common law. In 1605, during the reign of James Ist, *Gavel-kind* was abolished in Ireland by a decision of the Court of King's Bench, and replaced by the ordinary rules of feudal succession. A century later, a law of Queen Anne (2 Anne, c. vi., § 10), indirectly restored the ancient usage of *Gavel-kind* in the case of Catholics. The end in view was to split up indefinitely the little property still in the hands of the Catholics, in the hope that thus their lands would be insufficient to support them; which result, joined to an exclusion from all public offices, would deprive them of the means of subsistence. This law was repealed only in 1778 by an act of Parliament, which once again gave Catholics the benefit of the Common Law. (Lingard's *Hist. of Eng.*, I., 465; IV. 570; Moore's *Hist. of Irel.*, I. 139, III. 149; Haverty's *Hist. of Irel.*, 497, 683, 706; Burke's Works; M. Gustave De Beaumont, I., 119 and 153).



In England the thickest darkness covers the title of property, and the purchaser has no means of assuring himself that the property he is about to buy really belongs to the seller. Landed property is only transferred under private seal; public deeds are unknown; and nothing is easier than for a proprietor "to sell to one an estate mortgaged to a second, and already given away to a third."\*

Favourable to aristocratic pride, by permitting it to conceal under a feigned splendour the humiliating reverses of fortune, the secrecy of these contracts is an immense obstacle to the ready transfer of land. The purchaser having no guarantee but the word of the vendor, and not being sure that the morrow will not see a third person step forward and claim in virtue of a mortgage or a gift the estate he has just bought, one can easily understand how he hesitates to close a bargain. Such a state of things is manifestly destructive to all facility of transfer in the matter of real property: consequently a man desirous of speculating and increasing his fortune will prefer commerce to an investment in land.†

Besides the uncertainty of this kind of contract, the enormous expenses incurred in the transfer of landed property by sale is a no less considerable impediment in the way of land transfer. "In England, the son who succeeds his father is at no expense at all: but a purchaser is put to such enormous expenses, that, as things stand, it may be stated that the sale or purchase of a small estate in England is almost impossible, since the expense incurred by the deed would exceed the value of the land transferred."‡

It is not the deed itself which entails such immense expense; it is the examination of the titles, by virtue of which the transfer is possible. In what way is it to be ascertained with certainty that the vendor is the lawful owner of the estate? Is the estate in no way encumbered? Has no secret mortgage lessened its market value? Has the possessor or not already transferred the property, simply reserving to himself the rent for life, or some smaller income, thus rendering real possession by the purchaser a delusion?

Such are the grave questions which have to be answered before even the preliminaries of the transaction can be entered upon. Conveyancers, whose special profession is the verification of titles to property, are entrusted with the clearing up of

\* M. de Beaumont, II. 179.

† *Id.* I. 180.

‡ *Id.* *ib.* p. 181. [A son succeeding a father by descent has become, since M. de Beaumont wrote, liable to a tax called "Succession duty," which is however a tax of only one per cent.]

these questions; but "it is a well known fact that in the majority of cases, how great soever be the efforts of the conveyancer, it is absolutely impossible to come at such certainty as will secure the buyer against all deception."

Besides, these investigations are an indispensable formality: necessary or useless, as the case may be, they constitute the privilege of and furnish a livelihood to a whole class of men of law, to whom recourse must be had.

Finally the expenses entailed by these searches are always the same, whatever be the extent of the estate to be sold; so that they become comparatively less in proportion to the size of the estate. "This explains why, in England it is impossible to buy any but large estates, and how obstacles which embarrass even the wealthy put a dead stop to the working of small fortunes in this matter. Thus it is that in that country the land may change hands, but it is not divided."\*

In Ireland since the eighteenth century transactions relative to land have not been covered by such impenetrable darkness as in England. In 1708 a public Registry for all deeds relating to land was established in Dublin. The expenses necessitated by searches among the registers were however so considerable that the rich alone, in the matter of large estates only, could support them. Irish property had then as much difficulty, and for the same reason, as English, of finding its way into the market. Irish property indeed met in this matter with special obstacles also, such as involved in new and inextricable difficulties those who commanded capital enough to attempt becoming landlords.

In the first place a large number of titles contained flaws, dating from the time when in law no Irish Catholic could be either a landlord, or a tenant holding a long lease. Despite the statutes, transactions had been effected between Protestants interested in selling and Catholics desirous of purchasing: but as the law had to be evaded, the registration was not made, and this had been made up for by extra legal deeds.

Moreover at the time of the famine all the large estates were generally let to a few large tenants, called *middlemen*; and these sub-let in their turn to a much larger number of small tenants upon certain conditions. The new proprietor's difficulty in making out the rights he had acquired amongst this crowd of occupants was considerable, composed as it was of middlemen, farmers, and labourers, all having rights anterior to his own, and frequently connected one with another. "How was land to be purchased if investigations into all these matters were

necessary, and if they were omitted how was land to be bought with any kind of security?"\*

In fine, it frequently happened that by private agreement (the clauses of which varied *ad infinitum*), a man hampered his successors for half a century or more.† The Irish landlord lived at a distance from his estates, exposed yearly to feel in his income the effect of disasters which in striking down the small tenant rendered the payment of rent impossible. Continuing notwithstanding to live in luxury, in order to yield in nothing to the nobility of England, he was frequently obliged to borrow and to pay heavy interest, since the estates mortgaged by him were entailed. M. de Beaumont explains (from Blackstone) the legal and very singular fiction by means of which the landowner, with the connivance of the law courts, could in this case cut off the entail, sell his property, and pay his debts. This proceeding was, however, evidently nothing more than an exceptional usage. In the meanwhile the debts of a landlord and the interest on them taken together often exceeded the income, and put the landowner in the cruel position of being able neither to meet engagements of honour nor to hold the rank to which the extent and importance of his estates seemed to entitle him.

In certain cases, the London Loan Companies became tired of waiting, and in order to get back their capital instituted proceedings in the Court of Chancery: but the judicial formalities were both so lengthy and so costly that scarce any advantage was obtained by recourse to them.

Such was the embarrassed condition of property in Ireland, when the disasters which followed the great famine brought the evil to a climax, and raised a cry stronger than ever for an easy and cheap means of transferring land.

As early as 1843 the Devon Commission had bestowed the most earnest attention upon this very grave question; had exposed, after much evidence, all the disadvantages to landed property resulting from these difficulties; and had expressed a desire, in the interest of landowners, creditors, and society at large, that land should no longer be hampered with those fatal obstacles which kept it out of the market.‡

\* M. de Beaumont, vol. II. 184. Since the famine the class of "middlemen" has nearly entirely disappeared.

† Joseph Kay; *The Social Condition and Education of the People*, (v. I. p. 36-52.) London, 1850.

‡ "That where proprietors are much embarrassed, it would frequently be of great benefit both to themselves and their properties that they should have the power of selling their estates . . . . There can be little doubt that every facility which shall simplify and facilitate sales must be highly beneficial to all parties, and to none more than the present encumbered possessors, who find themselves in the false position of being the responsible proprietors of extensive

This same commission expressed the hope that this measure, after having allowed landlords to fulfil their engagement, would fortunately contribute to the formation of a middle class, and thereby resolve in a peaceful manner many of the grave social difficulties of Ireland. This was certainly seeing the evil and pointing out the remedy with remarkable clearness; and this is by no means the least praiseworthy part of the important work done by the Parliamentary Commission of 1843.\*

Notwithstanding the evident advantages of such a measure and its bearing upon general interests, notwithstanding the authoritative opinion of the Commission in its favour, it was not until 1849, and then at the instance of the creditors of the Irish aristocracy, that parliament passed a law authorizing the sale of encumbered property. This authorization, granted in the first instance to a provisional Commission composed of three members, was prolonged; and finally the powers of the Commission were transferred to a permanent Court which has been at work during the last twelve years, and the proceedings of which are annually published in the statistical returns.†

This Court, upon the simple petition of a creditor or landlord, puts the encumbered estate up to public auction, and grants to the purchaser a parliamentary (that is a perfectly legal and incontestable) title, which in case the whole of the head landlord's interest is sold gives him the absolute ownership in what is called the *fee simple*. Those who before had a claim upon the estate itself have thenceforward no claim but upon the money produced by the sale; the court examines their claims and pays them what is due to them.

According to the ninth annual report the following is the summary of the proceedings of this Court.‡

and populous districts with large nominal incomes mortgaged to their creditors, and having no possible means of fulfilling the costly and onerous duties to which the present aspect of Irish affairs exposes them."—(*Dig. of Evidence*, Part II., chap. xxi., pp. 863 and 865.)

\* "We believe that there is a large number of persons in Ireland possessing a small amount of capital which they would gladly employ in the purchase and cultivation of land; and a still larger number, now resident in different parts of the country and holding land for uncertain or limited terms at a rent, who would most cheerfully embrace the opportunity of becoming proprietors. *The gradual introduction of such a class of men would be a great improvement in the social condition of Ireland.* A much larger proportion of the population than at present would become personally interested in the preservation of peace and good order; and the prospect of gaining admission into this class of small landowners would often stimulate the renting farmer to increased exertion and persevering industry."—(*Dig. of Evid.*; II. 1139).

† These returns, drawn up by M. Charles Montague Ormsby, are published by Hodges and Smith of Grafton-street, Dublin.

‡ "*Ninth Annual Report; Summary of Proceedings of the Incumb. Est. Court from the filing of the first Petition, viz., 25 Oct. 1849 to the 31st of Aug. 1858.*"

Number of petitions presented to the court . . .	4,413
Number of orders of sale issued by the court . . .	3,547
Number of petitions presented by landlords themselves*	1,363
Number of transfers of property effected with the sanction of the court . . . . .	8,364
Number of lots sold† . . . . .	11,024
Total amount paid in by purchasers . . . . .	£23,161,093‡
Number of English, Scotch and foreign purchasers . . .	324
Number of Irish purchasers . . . . .	8,528

We must add that a rather large number of sales were compulsory; those who made them being creditors, who had no other way of recovering their capital.§ Many lots too were bought up by *middlemen* who had mortgages upon the estates managed by them.

In order to appreciate the results of this new institution, we must keep in view the statistics and information gathered upon this subject in many different parts of Ireland.

That it has done good is an incontestable fact. Doubtless it has not swept away the complicated mechanism surrounding landed property, and the greater part of the disadvantages resulting from the feudal laws still exist. Nevertheless this is a first and a great step towards the entire enfranchisement of land in a market point of view. By the passing of this measure, chiefly, the Catholics of the towns enriched by industry have been enabled to buy back ancestral estates, and to become possessors of the Irish soil, for which they were legally incapacitated three-quarters of a century ago. It is interesting too to know that in many cases property put up for sale in the Incumbered Estates Court has been bought in with the fruits of emigrant industry in America and Australia.

Catholics have consequently to congratulate themselves on the passing of this measure: for if it does not repair completely, as it never can, three centuries of violence and confiscation, it is at least beginning to palliate their results. It has so far done so as already to have excited the jealousy and the lowering misgivings of the old orange party. It has consequently brought down upon the English government the bitterest accusations. The measure has been termed *revolutionary*,

\* With this peculiar circumstance,—that of the first hundred petitions addressed to the court six only were presented by landlords, whilst of the last hundred forty-seven originated with the landlords.

† In case one person buys a number of lots, one deed only is usually drawn up.

‡ The statistics published in 1861 give the total amount paid by purchasers into the court from the month of October 1849 to the month of August 1859. It is £25,190,839. (Thom's *Off. Direct.* 1861; p. 717.)

§ M. Léonce de Lavergne; *Economie Rurale de l'Angleterre de l'Ecosse et de l'Irlande*; p. 420.

and we must admit that it had somewhat that appearance when compared with all the formalities and delays which, without it, shackled the transfer of property.\*

Shall we however be able to count among the fortunate results of this measure the creation of a class of small proprietors in Ireland? We fear not.

Up to the present, in fact, the lots sold (and the court can divide them at discretion) have been much too large, and have consequently required too considerable an amount of capital for their purchase to be within the reach of even the wealthiest of tenants. It is then still to be desired that the government should profit by so favourable a circumstance to encourage in Ireland the creation of small estates, a result which might easily be attained, were the lots split up so as to be placed within reach of even the better class of the tenantry.†

To have facilitated the sale and purchase of land is however to have done much. It is consequently a matter of satisfaction to us that the powers of the court were increased in 1858 by a new Act of Parliament, which in addition to making it a permanent institution, gave it a kind of power over all estates whether encumbered or unencumbered. The Court, invested with new powers, has taken a name more comprehensive and more in keeping with its extended sphere of action, namely that of the *Landed Estates' Court*.‡

This new Court began its sittings on the 1st of November, 1858.

It is evident that the sphere of its action being widened, it will happily counterbalance the influence of the feudal laws still existing, and deaden their effect upon the future of landed

\* When reproducing this accusation of the conservatives (May, 1858) the *Times* added with a species of contrition :—Time brings with it its own retribution ; and the sins of fathers have been visited on their children in such a manner as to warn us in future against the temptation to separate race from race or to substitute one church for another church. “*For generations the proprietors of the land in Ireland were Spartans among a Helot peasantry, almost planters among negro slaves.*”

† “The effects of this statute will never be felt by those classes who most stand in need of relief, viz., the farmers, the shopkeepers, and the peasants of Ireland.”—(Kay ; I. 322.) Twelve years ago a society was formed by Mr. Duffy (at present in Australia), and John Sadleir, for the creation of small estates. (See a pamphlet on this subject by Mr. Duffy.) The tragical end of Mr. John Sadleir, added to other lamentable circumstances, appears to have blighted this well-conceived project.

‡ Thom's *Official Directory*, p. 717 ; 21 and 22 Vic. Under the title of *General Rules and Orders of the Landed Estates Court (Ireland)* the Judges of this court have published and submitted to Parliament the Rules of proceeding and the legal formalities to be followed in order to effect by the authority of the court the transfer of landed property. [In the Appendix to the French edition, (No. 6,) the most important of these Rules are printed in full. It is of course unnecessary to give them in the present volume.]

property. In this sense, the institution of the Landed Estates' Court may become the starting point of a salutary and pacific revolution.

Unfortunately this same measure so advantageous in every other respect has in nowise contributed to a desirable change in the relations between landlord and tenant. This is a point upon which we are convinced that we have made the minutest and most complete enquiries; and it is one upon which we found men of all shades of political opinion entirely unanimous.

Thus, within the last few years the alterations of property effected by Incumbered Estates Court have frequently raised the rents in a sudden and extraordinary manner. Had the farmers held leases they would not have suffered this sudden raising of the rent; tenants-at-will had no protection against it. They had no alternative but to agree to the new terms, however exorbitant; or to be evicted by the new proprietor, and emigrate. Many of the new landlords were forced in spite of themselves thus to oppress their tenantry, in order to make up the interest of their outlay. We remember having seen a lot of land in the county Kerry put up for sale in the Landed Estates Court. The income from it would naturally have been £100. This lot was sold for £4200, that is to say for forty-two years' rental. It is clear that if he did not intend to lose his money the new landlord, however kindly disposed towards his tenants, would be obliged to double immediately the figure of the rent. Similar facts were stated to us in the counties of Cork, Mayo, and Down, and by Dublin gentlemen eminently versed in these matters.

It has been remarked too, that the new landlords, chiefly bent upon lucrative speculations, and not having with their tenantry those relations which time consecrates, are more easily led to treat them as strangers; and that they proceed less scrupulously than the old families in farm-consolidating and the extension of pasture by wholesale evictions.\*

To sum up: the institution of the Incumbered Estates Court, completed and fixed by that of the Landed Estates Court, has already freed the most encumbered tenth of Irish property; it has inaugurated, though slowly, the important operation of division of the soil: and as the majority of buyers have been Irishmen,† we have reason to hope that the continuous action of this court will contribute to the reparation of the

\* See the Dublin papers for October 1858, for a report of a meeting held at Millstreet, and a speech of Mr Maguire, M.P. Many examples of this kind of eviction are there quoted. See also the *Nation* for November 20th, 1858.

† See Statistics quoted above, (p. 165) : 324 foreign buyers, against 8258 Irish.

iniquitous work of past spoliation. In this light, its results are excellent, and deserving of unreserved approbation.

As to what are in England called the relations of landlord and tenant, the question remained untouched; it has still to await from a fresh interference of the legislature a satisfactory solution. The necessity of this solution, proclaimed long ago by all the organs of public opinion, and by ministers themselves, was never called in question. Parliament has made attempts every session to come at that solution. Before passing on to the bill of 1860, then, we shall review these long and laborious attempts, in order to gather from the parliamentary debates to which they gave rise, the opinions of statesmen and economists of every party, upon a question of such gravity and so intimately bound up with the weightiest interests of the Irish nation.

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## CHAPTER XIV.

### ATTEMPTS AT LEGISLATION PREVIOUS TO THE BILL OF 1860.

STRICTLY speaking we might say that ever since the time when Sir John Davies\* depicted with such energy the tyranny of landlords and the oppression of tenants, that is to say, ever since two centuries and a-half ago, the question has been constantly put and constantly awaits a solution.

The attention devoted to this subject by public men of all parties does not therefore date from yesterday; the iniquities of this deplorable system have long been known, thanks not only to the efforts of the friends and advocates of Ireland, but also, let it be boldly said, to the habits of serious enquiry and free discussion of which our neighbours are justly proud because they unveil the mystery in which abuses love to lurk. As far as regards Enquiries, Commissions, Evidence upon oath, searching cross examination, and conscientious Reports, prepared by the most honorable and the ablest men, there is not a country in which the probity, we might almost say the luxury and scrupulousness of publicity, are carried further than in England.

Look at the enormous collection of parliamentary enquiries and reports. These modest volumes, in their blue paper bindings, contain a treasure of detail of practical information upon all political questions, upon all social and religious administration, which supply the information required for the debates of

\* His expressions have been quoted above. (Book II. ch. xii. p. 158.)



the houses of parliament. There are matters comparatively unimportant which have filled as many as five or six "*Blue Books*," each of a thousand pages or more. In this collection the documents relative to the Irish land question occupy a considerable space.\*

Without looking back farther than the present century, there has scarce been a government, indeed scarcely a parliament, which has not been called upon to examine into this question; and from 1810 till 1845 no less than ten special Commissions were appointed to inquire into matters relative to the Irish tenant system.†

In 1835, the Commissioners sent into Ireland by Lord John Russell's government, to prepare for the establishment of a poor law, advised that the surest and most efficacious way to better the condition of the poor in Ireland was to encourage agricultural labour by guarantees.

The frightful strides of public misery not unjustly attributed to the tenant system, and to the general use made of the right of eviction, produced a general outcry. To appease it, Sir Robert Peel charged a commission, headed by Lord Devon, to study thoroughly and in detail the nature of the relations existing in Ireland between landlord and tenant. This Commission spent the whole of the year 1844 in collecting evidence, published in 1845; and a glance at the summary of the *Blue Books* which contain the labours of this commission suffices to show that nothing escaped it, and that the duty imposed upon it was fulfilled with scrupulous exactness.

In their final report, dated Feb. 14th, 1845, and addressed to the Queen, the Commissioners summed up the results of their long and conscientious enquiry, and pointed out upon each individual head the measures which they deemed necessary for a satisfactory solution of the question.

They did not hesitate to say:

That there was not a country in Europe in which the labouring classes were more oppressed or more wretched than in Ireland.‡

That this question of landownership not only affected the

\* "We have *Blue Books* upon *Blue Books* in our libraries which contain the fullest information upon the subject." (Speech of Mr. Sadleir in the House of Commons; 11th Feb. 1852.)

† See the reports of the commissions of 1819, 1823, 1830, 1832 and 1835. A tolerably complete summary of the labours of the commission of 1830 is given in the report of the commission of Lord Devon.—(*Digest of Evidence*, II. p. 1112.)

‡ "Poverty and hardships under which a large portion of the agricultural population continually labour."—(*Dig. of Evid.*; II. 1115.) . . . . "Under sufferings greater, we believe, than the people of any other country in Europe have to sustain."—(*Ib.* XVI. 1116.)

interests of landlord and tenant, but the public peace and general prosperity of the British empire.\*

That the system of absentee landlords letting the land to *middlemen*, who underlet it, and whose only object is to make the most money out of it, was the cause of grievous oppression to small tenants.†

That the system of tenure at will existing over the whole of Ireland was damaging to tenant and landlord; and that a system of moderate leases would be advantageous to both classes, provided it was a matter of free agreement, and not obligatory in law.‡

That the uncertainty of tenure and want of capital among the farmers being the principal obstacles to the development of the agricultural riches of the land, a guarantee of reasonable compensation to cultivators who by their labour and outlay had increased the value of an estate was the means best calculated to promote throughout the country substantial improvement.§

That the enlarging of farms being but the exercise of an essential right of ownership, the law could not limit its action; but that it was the duty of the Commission to call attention to the abuse of it, and to its disastrous consequences.||

That the pressure of local taxes being felt almost exclusively by the tenants, already hardly able to meet their engagements, it was desirable that the government should take upon itself to meet some of these taxes; for instance, the police tax.¶

That a great and efficacious remedy for these grave evils would be, on the one hand, to encourage the partition and sale

\* "It must never be forgotten that an improved cultivation, with the consequent increase of produce from the soil, and of comfort to the occupier, are not matters of private or individual interest only, but are intimately connected with the preservation of public tranquillity, and the general prosperity of the whole empire."—(*Dig. of Evid.* ; II. 1118.)

† "The poor occupiers were frequently exposed to great oppression. The evils consequent upon such a system have been frequently exposed in authentic Reports, and every writer on Ireland has dwelt upon them."—(*Ib.* II. 1121.)

‡ "As a general system it is more for the interest of both landlord and tenant that leases of a moderate length should be granted. We feel, however, that this is one of the points which must be left to the discretion of individuals, and we cannot recommend any direct interference by the legislature."—(*Dig. of Evid.* II. 1122.)—"The uncertainty of tenure is constantly referred to as a pressing grievance by all classes of tenants."—(*Ib. ib.*)

§ "Although it is certainly desirable that the fair remuneration to which a tenant is entitled for his outlay of capital or of labour in permanent improvements should be secured to him by voluntary agreement rather than by compulsion of law; yet we believe that some legislative measure will be found necessary in order to give efficacy to such agreements, as well as to provide for those cases which cannot be settled by private arrangement. . . . No single measure can be better calculated to allay discontent, and to promote substantial improvement throughout the country."—(*Ib.* 1124.)

|| *Dig. of Evid.* 1129.

¶ *Ib.* 1159-1162.

of landed property, so as to form a middle class;\* and on the other to endeavour to re-establish between two classes animated with hostility and ill-will towards one another, that mutual confidence and sympathy which could alone prevent the landlord from abusing his rights, and the tenant from repaying by assassination the stern measures of which he was the victim.†

Such were the views suggested to the government by the Devon Commission; and it was with the help of these precious data that Lord Stanley, now Earl Derby, laid before the house a bill during the session of 1845.

From that time forward bills upon this question crowded the tables of both houses,‡ giving rise to most serious debates, and most learned and conscientious research by men of all parties, thoroughly examined by the ablest administrators; yet without leading to any decisive result whatever.

“The remedy for the evils of Ireland,” said Lord Stanley in bringing in his bill, “is not Emigration, but a system under which the tenant would be induced to invest his labour and capital in the land.”§

In 1848, at the opening of the session, the Royal Speech directed the special attention of parliament to this weighty matter; and in their Address to the crown, the Commons thanked Her Majesty for the interest she evinced in Ireland, and pledged themselves to take such steps as should conciliate the rights of property with the social requirements of an unfortunate people.||

Notwithstanding these solemn promises the session of 1848 came to a close without any solution of the difficulty having been discovered; and indeed the question was put anew in the same terms a second time to succeeding parliaments.

The debates during the session of 1852 were keen and en-

\* *Dig. of Ev.* ; 1139-1140.

† *Ib.* 1165, 1167.

‡ The following is a list of these Bills, with the names of their authors :—

1845 Lord Stanley.	1850 Mr. Sharman Crawford.
1846 Mr. Sharman Crawford.	1852 Mr. Sharman Crawford.
Lord Lincoln, Secretary for Ireland.	1853 Mr. Napier.
1847 Mr. Sharman Crawford.	Mr. Sergeant Shee.
1848 Sir W. Somerville.	1854 (Four Bills.)
Mr. Sharman Crawford.	1855 Mr. Sergeant Shee.
1849 Mr. Pusey.	1856-1857 Mr. Moore.
1850 Sir W. Somerville.	1858 Mr. Maguire.

§ Sitting of 9 June, 1845.

|| “We humbly thank Your Majesty for the deep anxiety and interest which Your Majesty takes in the present condition of Ireland; and we assure Your Majesty that we will give our best attention to measures which Your Majesty recommended to the consideration of parliament, which with due regard to the rights of property may advance the social condition of the people and tend to the permanent improvement of this part of the United Kingdom.”

grossing: the just rights of landlords, the more just complaints of tenants, their mutual interests, parallels between the working of *Tenant-Right* in Ulster and the prosperous condition of Scotch and English farmers, the palpable difficulty of the problem, the incontestable advantages of a solution,—all was weighed with the most scrupulous care, and debated on both sides with the most conscientious attention, on the occasion of Mr. Sharman Crawford's Bill.

The great drawback to farming,—want of security and capital,—was exposed by the mover of the Bill, who devoted his speech to the proof of the direct effect upon property of the condition to which tenants were reduced.\* Mr. Crawford protested, above all, against that hateful abuse of the rights of property by virtue of which everything done or built upon the estate of the landlord became his property without compensation to the tenant, upon his eviction.

He asked that the law, under such circumstances, should guarantee the evicted tenant a right to compensation, the amount of which should be settled by arbitrators appointed by the two parties: that in case they could come to no agreement, the matter should be referred to the assistant-barrister, in cases where the claim was below £100; and in cases where the claim exceeded that amount it should go before the circuit judge.

As to the rest, a landlord meeting, held at Dublin in 1847, at which there were present seventeen members of the House of Lords and thirty-seven of the House of Commons, publicly recognized the right of the tenant to claim compensation for permanent improvements.†

Lord John Russell opposed the bill; he stated that he considered it dangerous in the then excited state of Ireland, and he upheld more definitely even than the Commission of 1843 the principle of non-intervention of the law in the relations between landlord and tenant. Lord John Russell spoke differently in 1846, but he then belonged to the opposition, and it then served the purpose of the adversaries of the tory party

\* "All the evils that exist in the present day in the social relations of Ireland may be traced to this one cause, the want of security. . . . There is no improvement in the soil; there is no cultivation; rents are not paid; an accumulation of arrears takes place; distrains for rent are the consequence; next follow ejectments, and these cause agrarian disturbances. . . . The remedy is by offering to the tenant the security for his labour." (Sitting of 11th Feb., 1852.)

† "A resolution was passed recognizing the right of the tenant to claim compensation for permanent improvements."—In Lord Stanley's bill of 1845 the arbitration was to be handed over to a special Commissioner, whose duty it would be to value the *improvements*, and decide upon the amount owed by the landlord to the evicted tenant.

and of the Peel cabinet to throw the responsibility of the social misfortunes of Ireland upon the then government. But were not protestations and theories of the whig party calculated to raise the expectations of the agricultural classes? and can we be astonished that they expected a great deal from those whose promises had been so frequent and so solemn?\*

A fortnight afterwards, (Feb. 27,) Lord John Russell's ministry, in power from the 6th July 1846, was succeeded by that of Lord Derby.

The bill was thrown out; partly probably on account of the practical difficulties of execution presented by many of its important clauses; probably also for fear of establishing a precedent which in its future action might entail unforeseen consequences, by affecting the rights of property, in the very act of putting an end to crying and universally condemned abuses.†

The agitation which this bill produced in Ireland was fomented by the formation of a society called the "*Tenant-League*," holding its meetings throughout the different counties of Ireland, at which the principal speakers of the party assisted.‡ This agitation was however fruitless enough; for public opinion was already sufficiently enlightened on the matter, instructed as it had been by the parliamentary debates; and unfortunately it in no way tended to establish between the two conflicting classes those mutual feelings of good-will and sympathy without which the most avowed partisans of legislative interference themselves acknowledged that a law would be unable to strike at the root of the evil.

In a learned work, published about this time, a member for the county Cork, himself a lawyer and wealthy landowner, proposed the submission of questions disputed between landlord and tenant to a special tribunal.§

One of the principal duties of this tribunal would be to

\* "I take the liberty of saying that the government which I now see in power have paltered with this question in every sense; they excited the people of Ireland to hold the highest expectations when out of office; and now, in office, when it can no longer serve their purpose to do so, they allow this question which they themselves have created to drop to the ground."—(Same sitting, 1852; Speech of Mr. [now the Right Hon. Judge] Keogh.)

† In this debate Mr. Bright rather wickedly asked: whether it was not a piece of presumption to expect a parliament almost exclusively composed of landlords to frame a law restricting their own rights. One might as well, said he, ask of a parliament of cats to make laws for the protection of the rights of mice! Let it be understood that we leave to Mr. Bright all the responsibility of the comparison.

‡ We must mention among them Mr. Moore, at that time member of parliament,—one of the warmest defenders of Irish rights, one of the stoutest advocates of "*Tenant Right*."

§ "*Land Tribunal*."

decide by means of valuers the amount of rent to which each landlord was rightfully entitled. Critics had some reason when they asked of the author of this project, where he could find men who would or could undertake so heavy and delicate a task: supposing a man to be well versed in questions of agriculture and political economy, his life would certainly not last to the end of the labour; and nothing was ever more chimerical, or farther from a practical solution of the question than this plan.\*

All these projects were also generally reproached with not taking sufficiently into account the situation of farm-labourers, upon whom, in their turn, the small farmers exercised an oppression analogous to that which they themselves underwent at the hands of the landlords and agents; as though it were one of the evil laws of human nature, which history but too often confirms, that oppression begets oppression, and that there is a kind of malicious satisfaction in making others pay for the sufferings one endures.

The failure of Mr. Crawford's bill however disheartened neither the members of the government, nor the advocates of the Irish tenant.

It was during a debate upon this bill, of such momentous importance, that Lord Palmerston uttered these memorable words quoted frequently since, extorted by the power of truth, which so easily enable the publicist to appreciate the policy of England in Ireland.†

It is to be observed that at this period Lord Palmerston did not hesitate to call for the interference of the law to determine the rights of landlords. He qualified it however as an exceptional measure, called for only by an exceptional situation.

Two years subsequently, in April 1858, another bill, for settling equitably the relations between landlord and tenant, was laid before parliament. The chief supporter of the new measure was Mr. Maguire, Mayor of the important city of Cork, and member for Dungarvan. Other Irish members seconded Mr. Maguire both in word and act, and the debates were vigorous and animated.

The preceding year had seen an exceptional amount of farm-consolidation by the rich landlords; of conversion of corn into grazing land; and of destruction of cottages by wholesale

\* Mr. Scully's system is refuted in detail in an article of the *Irish Quarterly Review*, March, 1854.

† "Every member must know the unfortunate state of Ireland, and must be aware that Ireland had for a long series of years been the victim of the misgovernment of this country. It was because Ireland was the victim of sectarian oppression and class legislation that the government were entitled to ask for exceptional legislation." (Sitting of 4th April, 1856.)

evictions. The number of emigrants from the United Kingdom, which in 1856 amounted only to 176,554, had risen in 1857 to 212,865.\* The newspapers were teeming with accounts of the services of the *Crowbar-Brigade*; whole villages disappeared before the destroyers; solitude began her empire in districts lost to her since the barbarous times, and but lately populous; the Scotch grazier, with his flocks, settled down upon the land, abandoned by a despairing people, whom a week before the steam ships for New York and Sidney had taken away; all this but too abundantly proved that the bad system of government denounced by Lord Palmerston himself was still grinding down that unfortunate island, and producing the same evils as heretofore. It was to the years 1857 and 1858 that the venerable Archbishop of Tuam alluded, when he wrote to Lord Palmerston: that the grievances to which the prime minister had so strongly called the attention of the government in the spring of 1856 not only still existed in full force, but were even aggravated; . . . and that the evils accumulated by former oppression extended their influences over the country as widely as ever.†

About this time a council of Irish bishops called on the priests to use freely the liberties guaranteed them by the constitution, and to raise their voice in the cause of an oppressed people. The Fathers of the council did not hesitate to insert, in the Acts of their august assembly, the expression of that grief which the pastors experienced at the sight of those terrible evictions, the scenes of desolation which accompanied them and the irreparable misfortunes which followed them.‡ Never since the time of the famine had a more favourable opportunity occurred for pleading the cause of the agricultural classes of Ireland.

\* "General Reports of the Emigration Commissioners."

† *Tuam Herald*, Nov. 1859.

‡ This page of the Acts of the Council of Tuam is too good not to be quoted entire :

"Maximam libertatem loquendi et agendi quæ ex juris civilis dispositione unicuique subditorum competit, in miserabilium et pauperum emolumentum, quoties prudentia et caritas id sinat, convertere satagant sacerdotes nostri; seseque pro muro domui Israel, prout decet ministros Dei, ponere non dubitent. Inaudita molestiæ et persecutiones quas, cum patrimoniis et bonis omnibus spoliarentur, exulare cogentur, morti ipsi traderentur, alacri animo, ut fortes athletæ Christi, passi sunt, excitare debent ut tempore et modo opportuno illis opem ferant. Neque funesta ac feralia illa tempora ex integro præterierunt; etenim dies luctuosi crebro redeunt, in quibus, gemitu et planctu fidelium nostrorum habitacula perstrepunt. Quam sæpe ad extremas angustias rediguntur fideles populi nostri, quinimmo e domunculis suis, virtutum omnium domiciliis, misere ejiciuntur, et tamen patientiam Jobi æmulantes, cum ipso exclamare solent : Deus dedit, Deus eripuit, nomen Dei laudetur et prædicetur ! Quam sæpe parentibus, amicis, et terris amatis valere coguntur, et fidem suam, in cujus comparatione omne aurum et argentum arena est exigua, in gravissima discrimina adducant . . . Ante oculos luctum continuum habemus."—(*Conc. Tuam*. 1858, cxviii. No. 2.)

During the debate of the 14th of April, Mr. Maguire endeavoured to show that the subdivision of land into small farms was not the only cause of the peasant's wretchedness, as that school of political economy maintained which saw the panacea for all Ireland's misfortunes in the consolidation of farms. In fact in 1841, Ulster, admittedly the most prosperous part of Ireland, reckoned 234,000 farms upon a superficies of 3,400,000 acres; whilst Munster, of greater extent (3,874,000 acres), reckoned 72,000 less, viz., 162,000. Without then disputing the assertion that the partition of land in Connacht had been carried to an excess prejudicial to the cultivator and to the interests of agriculture, social misery in Ireland must have been due to some other cause than the injudicious subdivision of the soil.

The causes alluded to by the speaker were on the one hand the habitual despotism of landlords and agents, and on the other the precarious situation to which were inexorably condemned the very men upon whose industry and labour the prosperity of the country depended. Was it too much to ask for them the guarantees enjoyed by the *ryots* of India; and was the social condition of the heathen peasant on the banks of the Ganges to be still a subject of envy to the sternly-handled population of Munster and Connacht?\*

Another member, Mr. Blake (M.P. for Waterford) calculated the enormous loss to the public wealth arising out of such a system. He calculated that under favourable conditions, the produce of Ireland might amount to forty instead of twenty millions. But until farmers were seriously encouraged to spare neither toil nor money in the development of the resources of a land naturally fertile, progress would be impossible, and agriculture would remain fatally stagnated.†

On the other hand, added the same speaker, give encouragement and security to agriculture; convince it that it will be repayed for its work, and that its pecuniary advances will benefit it; and in few years the face of Ireland will change,

\* "While the cultivators of the soil in India are entitled to compensation for their improvements, and while those improvements are not to be made the occasion of an increased tax or rent, the Irish tenant has no claim for compensation, and his own improvements subject him to an increased rent. There is full protection for the wretched *ryot* of India, but none for your fellow-subjects in Ireland."

† "Latest returns inform us that the value of the agricultural products of Ireland amounts to over 20 millions sterling a year, and nearly every competent authority coincides in saying that under a proper system of cultivation this would be doubled. . . . This enormous wealth, this 20 millions a-year, lies buried beneath the soil, of use to no man, feeding no man, paying neither rent nor taxes. . . . Who benefits by this? Not the tenant. . . . Nor the landlord."



and though she had to go through trials similar to those of 1847 and 1848, still she would make her way upon the remains of her abundance and await better days.

On the 9th of June, another Irish member, lately in office under the Minister-at-War of the Palmerston Cabinet, a member of whom his tenants in the county Limerick joyfully and proudly say that "*that there is no better landlord*,"—Mr. Monsell,—defended in his turn the interests of the Irish farmer, and assured the government that nothing would make it more popular in Ireland than a special measure for the settlement of this question.\*

The same fate however befell Mr. Maguire's bill, which had befallen the others; and for the nineteenth time, the solution of a problem involving the lot of four millions of men, and the agricultural future of a great country was evaded. Royal speeches, addresses of Parliament, *Blue-Books* with their merciless statistics, the labours of men most experienced in these difficult questions, all, had vainly thrown into relief the minutest details of this formidable question. Vainly had each successive party brought to bear upon it, together with its own peculiar views and scientific knowledge, the earnestness engendered by a desire to do more, and do better, than its adversaries. Cabinet succeeded cabinet, whig tory, liberal conservative; and no matter what the origin of the Bills relative to the land question in Ireland, they were invariably thrown out on the first or second, sometimes even on the third reading; and Ireland, the victim of hope deferred, left to thrive on expectation.

Such was the position of matters, and the state of men's minds, at the beginning of the year 1860, when Lord Palmerston, called to office on the 18th of June 1859 after the short administration of Lord Derby, presented a project to the House which became the Bill of 1860, with the examination of which we shall terminate this lengthy enquiry.

\* "Ireland was the only country in the world where improvements made by tenants had no advantage of a law of this sort . . . . Nothing would make the Government more popular in Ireland than a special settlement of this question."

## CHAPTER XV.

### THE BILL OF 1860.

THE new bill was laid before the House of Commons, by Mr. Cardwell, Secretary for Ireland, on the 27th of March, 1860.\*

The explanation of the reasons upon which this bill is grounded, is an important document upon the history of the question. It enumerates all the attempts made within the fifteen preceding years to resolve this question, and records the failure of these attempts. The terrible crisis passed through by Ireland, the angry disposition of minds, the agitation and commotion existing in those counties most severely tried by the bad management of landed property: such were the obstacles (it was stated) which had checked the legislative measures submitted to the consideration of Parliament. At length these circumstances either no longer existed or had undergone a material change. For ten years Ireland had been, (said the Minister), in a state of universal progress, hitherto unknown to her;—during ten years Ireland had obeyed the happy law of universal progress, a law before unknown to her.

The Drainage of marsh lands undertaken on a large scale by the help of government loans;

The extension of Railways and other means of communication;

The number of Cattle bred, doubled within twenty years, and proportionately improved in quality;

The general diminution of the numbers of Farm holdings below five acres, and the increase of holdings above thirty (!);

The sale by the Landed Estates' Court of two millions of acres of land, at the price of £23,000,000;

The rise in the Wages of labourers from an average of 6d. to one of 18d. per day;

The satisfactory results of Criminal statistics, showing that for twenty agrarian outrages in 1849 there was only one in 1859;

The reduction of the Poor Rates from £2,199,000 to £414,000.

\* Since that time Mr. Cardwell, appointed to the Chancellorship of the Duchy of Lancaster, has been succeeded in the Secretaryship for Ireland by Sir Robert Peel.

In fine the amelioration of the Material conditions of existence,—dwellings, clothing, and food,—among the agricultural classes.

Everything concurred (concluded the Minister) to make Ireland the country in which of all countries in the world the greatest amount of progress had been made during the preceding ten years (!).\*

The moment was then a favourable one to encourage the cultivators of the soil, without damaging the interests of landlords: and at such a moment a guarantee might very safely be given to tenants of indemnity for capital advanced.

In the new bill there was to be no word of perpetuity of tenure; nor of the extension of the Ulster Tenant-Right to the other provinces of Ireland; nor even of the principle of retrospective compensation. The author of the bill did not even pretend that it was destined to be a popular measure; since it thrust aside, without gratifying them, many of the dearest hopes cherished by the country during the preceding fifteen years.

The bill was composed of three great parts.

The first related to "limited owners," hitherto prevented by legal or conventional restrictions from improving their property.

The second defined the cases in which leases might be granted by this class of landlords, in order to render possible the improvement of farms by means of the security afforded by leases.

The third part treated of the rules and formalities by means of which tenants-at-will might obtain a pecuniary indemnity, proportionate to the sums laid out by them upon their holdings.

Considered as a whole this bill contained some dispositions of incontestable utility: but was it not open to the charge of being to say the least of it singularly timid in comparison with the bills previously discussed in the Commons? Instead of closing with all the difficulties inherent to the land question, and the situation of the tenant in Ireland, had not the framer of this measure confined himself too exclusively to an isolated point; important it is true, but still a single point, the solution of which would leave untouched the greater part of those grave and difficult problems which former measures had fearlessly looked in the face? Would not its complicated mechanism render the good results which people were entitled to expect practically illusory? In short was the remedy at all proportioned to the evil? This was the question which the House of Commons was called upon to examine, and which

\*"No more marked improvement has probably taken place in any country in the world."—(House of Commons, 27th March, 1860.)

furnished matter for a triple series of debates upon the three readings of the bill.\*

Mr. Cardwell's opening speech at once called forth strong objections from the Irish members. All complimented the feelings of justice and kindness which had actuated the Secretary for Ireland in the elaboration of this new attempt. To take up a question in which failure seemed to justify discouragement was indeed of itself in some sort a merit. But in the magnificent picture of Ireland's prosperity given by Mr. Cardwell in his exordium, was there nothing open to objection? and was there not wanting more than one stroke of the pencil which would have singularly sobered the tone of that picture, had the speaker not studiously avoided putting them in?

There was doubtless a certain pleasure in being able to testify to the extension of drainage, the multiplication of railways, the operations of the Landed Estates Court, the decrease in the number of poor, and above all the astounding increase in the quantity of cattle in 1860 in comparison with the quantity bred in 1840.†

But this argument, founded upon statistics, had its weak side; and taking only the one point which produced the greatest impression upon the House, (the diminution of poor-rates in ten years from £2,199,000 to £414,000) it would not be at all difficult to show that by eliminating one of the terms of the comparison one would come at a very different result. In fact in Mr. Cardwell's comparison of the progress made by railways, public works, drainage, and the increase of cattle, he compares the whole period comprised between the years 1840 and 1845 with the single year 1859. But on the question of the decrease in the number of poor, and of the sums set apart for their assistance, it is with the year 1849 alone that he compares 1859. Now, what should we say of the statistician who in order to give us an idea of the sanitary progress of Paris should prepare a comparative table of the mortality of 1849 and that of 1859; that is who should compare two years, during one of which the cholera ravaged this capital, the other an ordinary year? As a matter of fact however was not this precisely the method applied to Ireland? Was not the year 1849 the one which following immediately upon the years of famine had most directly felt the fatal effect of them; and was it at all surprising that under such circumstances the number of poor should have increased in that year to the fear-

\* See particularly (in Hansard) the debates of the 27th March; 15th May; 11th, and 29th June; 3rd, 19th, and 27th July; and, in the House of Lords, of the 12th August.

† In 1840, £21,000,000; in 1860, £36,000,000.

ful figure of 2,142,000, and the amount of relief given to £2,199,000?

Had however one ordinary year been compared with another, for instance 1845 with 1859, as was done in the other questions of social economy, a very different kind of progress would have appeared on the statement. The amount set apart for the relief of the poor was in 1859 £414,000; whilst in 1845 (the year before the famine) it was but £256,000. Moreover, if we remember that in 1845 the total population of Ireland exceeded eight millions of inhabitants, whilst in 1859 it was below six millions, that is to say *more than a quarter less*, should we have been astonished if there had been even a material decrease in the number of poor?

In 1849, seventy-two thousand persons had been evicted; in 1859 there were evicted but 2,308. In this matter the progress was real, the state of things incontestably better. It need not however cause the least surprise. It was more especially at the beginning of these ten years that the system of farm-consolidation, giving rise to wholesale evictions, had been effected on the largest scale. *The greater part of the work had been done.* Continual evictions had reduced the population to the number strictly required for the cultivation of the land and the tending of cattle. This decrease in the number of evictions is then no real test of the relations between landlord and tenant. Less of the latter are evicted, because there are less to evict, and because they are consequently not so much in the way of the system which is being carried out in Ireland.

Besides these general answers, made by several Irish members, to the historical and economical opening which preceded the exposition of Mr. Cardwell's measure, one of the clauses of that measure provoked a vigorous and almost unanimous resistance.

In the third part of the bill, relative to *Tenants-at-will*, it was proposed to enact that any tenant desirous of making improvements upon his farm should previously serve upon the landlord a notice to that effect, and that the simple refusal of a proprietor thus informed was of itself, *ipso facto*, to be considered by the tenant as equivalent to a *notice to quit*.\*

In vain did Mr. Cardwell subsequently affirm that the *intention* of the government, far from being that of adding to the already terrible right of eviction, was simply that of getting landlords and tenants to enter into written agreements, and to

\* "We propose then that the tenant shall serve a notice upon his landlord or upon the agent who receives the rent of the land. *We propose if the landlord disapproves the improvement he shall at once proceed to terminate the tenancy.*"—Mr. Cardwell's speech.

stipulate in a friendly manner concerning the conditions upon which improvements should be carried out and the tenant compensated for his outlay.\*

There was no difference of opinion upon the undoubted advantages of the system of written agreements between the contracting parties;† but was it to be supposed, or even hoped, that this system would follow naturally from the proposed clause? Were not people on the contrary justified in fearing that for the very illusory hope of a very uncertain advantage, the intensity of an actual evil would be directly increased; an evil which it was the duty of the legislature to destroy root and branch?

Among the members who most vigorously attacked this strange clause of Mr. Cardwell's bill, Lord Fermoy, Mr. Maguire, and Mr. Monsell put the most solid objections to it. Were there not indeed enough of ordinary causes of eviction already weighing down the yearly tenant, without adding another which would make the will of the landlord‡ the law, and put eviction under the express sanction of an Act of Parliament? Did not the past history and the present situation of Ireland abundantly prove that in the matter of evictions landlords rather needed restraint than encouragement?§ The fact of a single landlord taking advantage of the power conferred upon him by this law would be enough to quench all spirit of enterprise, all desire of progress and improvement, for years, in the district where an eviction should be effected in virtue of such a clause.¶ This single disposition therefore rendered the bill powerless for good; and it would have been

\* "We believe that this will practically lead not to a termination of the tenancy, which would be a great mischief, but to a written agreement between the parties as to the terms on which the holding shall be continued."—Mr. Cardwell's speech.

† "I believe that hon. gentlemen connected Ireland will agree with me, when I say that one of the most desirable results which could arise in that country would be obtained by the introduction of business-like written engagements between landlord and tenant with respect to the occupancy and improvement of land."—*Id.*

‡ "In ordinary circumstances a man who would not allow his tenant to improve would be bad enough to eject him; but instead of that down came Cardwell's Act to do it for him. . . . He could not see how it could have anything but the worst effect;—it was giving the sanction of an Act of Parliament to the ejectment of an improving tenant. . . . The bill would do no good, but might, he feared, do much harm."—(Speech of Lord Fermoy.)

§ "With every feeling of respect and friendliness towards the right hon. gentleman, he could not help saying that a more vicious suggestion to the landlord or a more fatal result to the tenant could not by any possibility be imagined."—(Speech of Mr. Maguire.)

¶ "Had the house contemplated how one single act of such cruelty and folly might extinguish for a generation every impulse to improvement in the district where it was committed?"—*Id.*

the starting-point of a state of things worse than the one it was proposed to remedy.\*

This, so reasonable, opposition, energetically seconded by the liberal press of England and Ireland, was completely triumphant. The draft of the bill, as distributed to members, and printed in the papers at the beginning of April, did not contain this clause. Government had very wisely let it drop, rather than risk its authority in a discussion in which everything seemed to promise defeat.

In the debate upon the second reading, the first and second parts of the bill gave rise to very little discussion and were very quickly voted. The great struggle was upon the third part; by far the most important, and the only one which directly affected the interests of the Irish tenant. Those members who from the outset had warmly taken up the cause of the tenant, and who had demanded in his favour more liberal and advantageous measures,† attempted to introduce into this part amendments more in unison with the wants and wishes of Ireland.

One of these amendments bore upon a point closely connected with the general progress of agriculture and farming.

Under one of the clauses of the bill, after a tenant had formally notified to his landlord his intention of carrying into effect such and such an improvement, a delay of three months was granted to the latter before replying either pro or con. In case of refusal the tenant was to abstain from making the designed improvement.

Mr. Maguire proposed a modification of this clause, giving the tenant the right of appealing from the refusal to the Chairman of *Quarter Sessions*. If this magistrate declared the projected improvements useless or damaging to the property, the tenant was to desist; if on the contrary he deemed them necessary to the interest of the tenant, the latter should be authorized to carry them out, as though leave had been given by the landlord himself.

At first sight this amendment would seem to involve a dangerous principle, and to constitute a manifest usurpation of the rights of ownership. But in order rightly to appreciate its force, we must bear in mind the extraordinary conditions under which farming is carried on in Ireland. Mr. Cardwell himself, quoting in his statement the work of the Devon Commission, carefully pointed out the essential differences between the land-letting system in Ireland, and in England, Scotland,

\* "The measure seemed to him calculated to make things infinitely worse than they were at present."—(Speech of Mr. Monsell.)

† Borrowing from nearly all the bills previously brought into the House.

and other countries.\* A farmer who upon entering on a farm finds at hand all that is absolutely indispensable both for the requirements of his family, and for tillage, is not properly speaking victimized by his landlord supposing the latter refuse permission to put up new buildings. But if, as in Ireland, the in-coming tenant finds nothing but a piece of naked land, which has perhaps for centuries lain uncultivated: if he is first of all obliged to build with his own hands, at his own risk and peril, the poor cottage which is to shelter his family;† if for want of certain improvements he can with the greatest possible amount of labour barely make ends meet, and can only then afford the absolute necessities of life to his wife and children; if, in fine, when he proposes to carry out these improvements without which he may never hope to raise himself above the most precarious of situations, he is stopped short by a refusal from which there is no appeal,—cannot the law interfere without compromising the rights of property? Is not the law on the contrary bound to protect the cultivator against such arbitrary and senseless selfishness? Is the law subversive of public order, when in such a case it prevents the proprietor from refusing his consent to works deemed and declared indispensable by a competent magistrate?

So far is the proposed amendment from being open to the imputation of socialism, that many of the preceding bills had consecrated a special clause to this important measure. This was shown in the clearest manner by Mr. Monsell, in his reply to the Attorney-General, Mr. Deasy, who had opposed Mr. Maguire's amendment "to prevent" he said "the amendment from determining the rejection of the whole bill by the Upper House."

This house had in fact rejected Lord Aberdeen's bill, not because it contained a similar clause, but because it gave a retrospective effect to compensation. As to the clause combated by the Attorney-General it was to be found in all the

\* "Those who are familiar with the works of Arthur Young, of Mr. Burke, or of Mr. Mill, know that in their successive generations those practical and philosophic writers have drawn a broad distinction between the state of land in Ireland on the one side, and its state in England and in Scotland on the other. A distinction so recognized may fairly commend itself to the calm consideration of this house. . . . I am not about to trouble the house with unnecessary reference to papers; but I think I ought to ask you to hear the statement on this part of the case which rests on the authority of the Devon Commission."—(Speech of Mr. Cardwell.)

† "Mr. Cardwell laid down in the clearest manner why it was rendered necessary to have a different system of legislation between landlord and tenant from that which obtained in England and Scotland. He showed that in Ireland those improvements which were considered to be the landlord's improvements in England were made either not at all or were made by the tenants."—(Speech of Mr. Monsell; Debate of 27th March.)



three bills, one of which was brought in by Lord Derby in 1845, the second by the Duke of Newcastle (then Lord Lincoln) in 1849, the third by Sir W. Somerville in 1850; and it would scarcely be reasonable seriously to accuse two lords and a baronet of advocating a system at once socialist and destructive of the rights of property.\* After having adduced the testimony of men so well-deserving of the confidence of the house, Mr. Monsell, taking up the amendment upon its own merits, proved with ease that with a system like the Irish one such a clause in favour of tenants was indispensable if the bill was seriously and sincerely meant to better their condition.†

After Mr. Monsell, Colonel Dickson, Mr. Isaac Butt, Lord Fermoy, Mr. Connolly, and Sir W. Somerville supported the amendment, which with 48 votes for it was negatived by a majority of 144.‡

A majority of a hundred and forty-four votes in the London Parliament against a measure pronounced by Irish members of every shade of political and religious opinion indispensable to secure the serious good of the agricultural classes of Ire-

\* "Lord Derby introduced a bill containing a provision similar to that now suggested by Mr. Maguire. The bills of the Duke of Newcastle and of the right hon. gentleman the member for Canterbury [Sir W. Somerville] also contained a like provision, and therefore the whole weight of authority was in favour of the principle advocated in the amendment; (Hear! hear!)." (Speech of Mr. Monsell; Debate of June 29.)

To these names must be added those of Lord Naas and Mr. Napier, the former Secretary and the latter Attorney-General for Ireland in the Derby Cabinet. (See Speech of Mr. Isaac Butt during the same debate.)

† "If the bill were required at all, let them make it a *bona fide* bill; let them pass the clause with the amendment, and by so doing they might rely upon it that they would confer an enormous advantage upon Ireland; (hear! hear!)."—(Speech of Mr. Monsell; 29th June.)

‡ Colonel Dickson: "It would be a great improvement if the industrious tenant, instead of hoarding up his money in banks, could spend it upon the land. When the landlord is either unable or unwilling to advance money for the improvement of his estate, the law ought to protect the tenant who can and will advance money for the good of the land; (cheers)."

Mr. Isaac Butt: "If the amendment is thrown out the bill will be good for nothing. . . . The rights of property are talked of; but one of the rights of property is not to leave unproductive the land which God has given for all." "The clause is to be found in the bills of Lord Naas and of Mr. Napier."

Lord Fermoy: "If this clause be not adopted the difficulty will not be solved, and the question will remain entirely undetermined."

Mr. Conolly, "as a landlord also supported the amendment, and said that he would compel the landlord in certain cases to make improvements. He knew there were landlords who would prefer to sit down with their hands in their pockets, and very little else in their pockets besides their hands, (laughter), rather than comply with the just requirements of the tenants; (hear! hear!)." [Mr. Conolly is a rich proprietor of the county Donegal.]

Sir W. Somerville (formerly Chief Secretary for Ireland in the ministry of Lord John Russell, and member for Canterbury): "There is nothing in this amendment to alarm the most rigid champion of the rights of property."

land, and sincerely to encourage the small tenant! With what a new and formidable argument have not the English here furnished the partisans of Repeal of the Union! What a strange method of uniting the two nations in true and mutual sympathy, to crush with English and Scotch votes everything calculated to raise up Ireland and to lay upon solid foundations the social condition of a class so numerous and interesting as that of the tenants from year to year!

On the 19th of July the House went into Committee upon the third reading. On the 27th a warm debate took place upon the exercise of that right of the landlord the maintenance of which had been deemed indispensable by the Devon Commission, namely the right of seizing cattle in case of non-payment of rent. Mr. Cardwell's bill slightly qualified this right, by restricting it to cases in which the rent was in arrears by a year.

Messrs. Hennessy and Maguire demanded the entire abolition of seizure, as being a constant source of vexation and misery to the tenant.\*

Mr. Monsell suggested as a middle term between the proposition of the government and that of Mr. Maguire, to which however he gave his support, the continuance of the right in the case of tenants holding a lease, and its abolition in the case of tenants-at-will tenants.

This compromise seemed likely to respect all susceptibilities, and to satisfy all requirements. Nevertheless many members having remarked that the right of seizure existed in England, and that no bill could possibly go through the Lords suppressing it in Ireland, Mr. Hennessy withdrew his motion.

At the beginning of the month of August the bill went up to the House of Lords, raised no important discussion, and became law under the title of the *Landed Property (Ireland) Improvement Act*, (23 and 24 Vict.), to be in force from the 2nd of November following.

We have already stated that the bill consists of three parts of which the following are the principal provisions.†

*Limited owners* (*i. e.*, owners of only limited interests in their lands) may, notwithstanding the legal or conventional restrictions to which they are subject, make improvements upon their estates. For this purpose they must obtain the sanction of one of the judges of the Landed Estates

\* "The greatest cruelties and injustice had been perpetrated on tenants under the existing law."

† [The text of the principal clauses of the Act is printed in the appendix of the French edition, (No. VII., p. 516, vol. 1.) ; it is unnecessary, of course, to reproduce them in the translation.]

Court. The following are the works for which that sanction may be given.

Drainage of land.

Reclamation of land from tidal or other waters.

Reclamation of Bog land, and cultivation of Waste land.

Making of roads and fences.

Erection of farm buildings; houses for stewards, labourers, or other persons employed in superintending the cultivation of, or in cultivating land; and of other buildings for farm purposes.

The renewal or reconstruction of any of the foregoing works.

When the Limited Owner intends to make any of these improvements, he must lodge with the proper officer of the Landed Estates Court a statement of the particulars of the intended improvements, of the estimated expense of effecting them, and the name and residence of his successor in the property.

Previously to giving his sanction the judge must hear the successor, if he object to such improvements. The judge may also, if he think fit, make enquiries by means of Valuation Commissioners or Surveyors as to the nature and utility of these improvements.

If upon enquiry the judge decide that the projected improvements are beneficial to the parties interested, and if the proposed expenses appear to him reasonable, he may give his sanction.

During the progress of the works the successor, or any person authorized by him in writing, may inspect them.

Upon the completion of the improvements, the Limited Owner must lodge with the officer of the Landed Estates Court a statement verified by affidavit, sworn before a Commissioner or other duly authorized officer, of the expenditure incurred, to an amount not exceeding the estimate sanctioned by the Chairman.

If no appearance is made on behalf of the successor or inheritor, objecting to the amount or employment of the sum laid out upon improvements, the judge allows the expenditure, and charges the lands mentioned in the order with an annuity of £7 2s. for every £100 expended, payable for a term of twenty-five years. This declaration of the judge must be forthwith entered at Dublin at the Office for Registry of Deeds.

The same power is granted on the same conditions to corporate bodies, whether lay or ecclesiastical.

The second part of the bill confers on Limited Owners the right of granting leases of all sorts:

Agricultural leases,—

Improvement leases,—

Building leases.

These grants of leases are subject to the following conditions:

No Improvement Lease is to be valid without the sanction of the Chairman of Quarter Sessions.

No Building Lease comprising more than three acres or reserving a rent of more than one hundred pounds per annum is to be valid without the sanction of one of the Judges of the Landed Estates Court. No other building lease is to be valid without the sanction of the Chairman of Quarter Sessions.

The term of the Agricultural Lease is not to exceed twenty-one years; of the Improvement Lease forty-one; and of the Building Lease ninety-nine years. For the latter kind of lease, however, if the Judge of the Landed Estates Court considers it to be beneficial to the successor, he may grant power to extend the lease.

Every lessee of an Agricultural Lease is to bind himself to use the lands in due course of good husbandry, and not to burn any part of the soil without the previous consent in writing of the landlord.

Every lessee of an Improvement Lease is to bind himself to execute at his own expense within the time specified in his lease, the works specified in such lease and authorized by law.

Every lease of whatever kind is to be considered as rescinded upon non-payment of the rent stipulated.

The third part of the bill alone treats of the interests of tenants; stipulates upon what conditions they may enter upon improvements; and regulates the indemnity to which these works entitle them.

These works are composed of the following:

Drainage.

Reclamation of Bog Land, or reclamation or enclosure of Waste Land.

The making of farm roads or fences.

Irrigation.

Protection of Land against Inundation, by Embankment.

The erection or enlarging of farm-houses and buildings for agricultural purposes suitable to the holding.

Before making such improvements the tenant must serve on the owner or his agent a notice, under his hand, stating the particulars of the intended improvements, the proposed manner of effecting them, and the estimated expense. The tenant can only begin them three months after having served the notice, and must have them completed within the two years following.

The owner may treat in a friendly way with the tenant for

the execution by him (the owner) of the proposed works; in which case he may augment the rent by five per cent. on the outlay.

“The owner or his agent may, within three months after the service of such notice, give notice in writing to the tenant, that he disapproves of such proposed improvements, or any part thereof; and no tenant who has received such notice shall be entitled to commence any improvements from which the owner has so dissented.”

Upon the completion of the Improvements, in the event of the tenant being turned out of the tenancy by the owner before such completion, the tenant must lodge with the Clerk of the Peace of the County a Statement of the expenditure incurred, not exceeding the amount stated in the agreement.

Upon the receipt of this Statement the Clerk of the Peace must serve a notice thereof upon the owner or his agent; in order to allow him to present his observations, and if need be to prove that the works have not been properly carried out, or that they are not worth the sum stated.

The Chairman of Quarter Sessions, the competent judge in such cases, may make inquiries by valuation commissioners, surveyors, &c., as to the value of the works carried out by the tenant. If he approve of them, he charges the land mentioned with an annuity of seven pounds two shillings, for every hundred pounds of the outlay, to be paid to the tenant or his heirs or representatives for the term of twenty-five years.

Where any Improvement is effected wholly or partially by the labour of the tenant himself or his family, the value of such labour is to be deemed part of the expenditure, and taken into account accordingly.

So long as the annuity is paid, the tenant or his heirs are obliged to keep these works in good condition, and to make the necessary repairs; on his side the landlord, or any person holding his written order, may inspect the works.

The owner has also the right of buying off the annuity by giving the tenant a sum equivalent to the residue.

The last clause of the bill formally declares “nothing in the act shall be deemed or construed to affect or prejudice any usage or custom established or existing in any part of Ireland, relating to out-going or in-coming tenants:”—in other words, the *Tenant-Right* of Ulster is preserved untouched.

Such, in its essential provisions, is the legislative act which has been awarded to fifteen years of effort and agitation as well within the British Parliament as in the press and in public meetings in England and Ireland.

After a serious and detailed examination of it we may well

ask ourselves whether the result is proportionate to the effort; whether this is all that the persistent demands of the press might be expected to produce in favour of Ireland's agricultural classes, supported as were those demands by the conscientious researches of so many publicists and statesmen; whether in fine some other conclusion was not reasonably to be hoped for to the inquiries of so many parliamentary commissions, whose labours had during forty years uniformly ended by bringing them face to face with this land question?

Is it not manifest that in spite of exceptionally favourable circumstances\* the legislature evinced a circumspection a prudence and a reserve unknown, even in the most troubled and critical times, to the conservative party, and to the most eminent members of the English aristocracy. Compare this bill, we do not say with those considered bold, and suspected of a tendency to restrict the essential rights of property,† but with the bills of Lord Derby, the Duke of Newcastle, and Lord Naas; put it side by side with that enormous mass of documents, interrogatories, depositions, and carefully sifted evidence, collected upon the landed property question by the Commissioners of 1819, 1823, 1830, 1832, 1835, and 1843; compare its provisions with the uniform conclusion come to in all these parliamentary labours; and you will ask yourself with astonishment whether this can indeed be that *exceptional* and *extraordinary* legislation, declared by Lord Palmerston, the 4th of April, 1856, to be indispensable, if the wounds inflicted upon Ireland by bad government were to be closed!

On the contrary what can be imagined of more downright mediocrity than the bill of 1860 both as to the letter and the spirit? what farther from the energetic measures demanded even by Lord Derby in 1845? It is well known that he would have wished to put a stop to the excessive strides of Emigration, and to divert the tenant for the future from seeking in distant lands a prosperity which it was in his power to create in Ireland could he safely invest in the land the double and irresistible force of labour and capital. In what manner does the bill of 1860 meet these wishes and realize these expectations?

If in some of its clauses the bill of 1860 attempts to found such a system, does it not contain others radically destructive of it; since the sole *veto* of the landlord is sufficient to prevent a tenant from entering upon any work calculated to better his farm? Can it be seriously maintained that this

\* See opening speech of Mr. Cardwell.

† Such was the undeserved accusation made in preceding sessions against the bills of Mr. Sharman Crawford and Mr. Maguire.

bill gives the agricultural classes sound guarantees; that it opens up to them a new road; and that for the future the peasant will have but himself to blame if he vegetate in misery, and if time added to years of plenty in nowise better his condition?

We trust the reader will do us the justice to believe that these criticisms in nowise proceed from a spirit of systematic opposition to any and every law owning an English origin. It is precisely on this grave point that we have witnessed the most astonishing unanimity of opinion and judgment among men habitually divided upon questions of a different order. Discretion forbids us to quote the names of those who have honoured us with their opinions; but this we can fearlessly state, that upon this point the Presbyterian landlord, and the Catholic bishop,—the whig bound to the present administration by interest and sympathy, and the most advanced liberals of the national party,—the Ulster as well as the Connacht farmer,—the journalist who appeals to the passions, and the man of law, the impartial and modest jurist, accustomed to weigh coldly and conscientiously every side of a question, and to state his opinion with no interest other than that of maintaining the cause of justice and truth;—all are of one and the same opinion upon this point. The judgments gathered from sources so different, whose unanimity does not permit us to hesitate in accepting the conclusion to which they have come, may thus be summed up.

“This bill will remain a dead letter, and will exercise no serious influence upon the present state of relations existing between landlord and tenant.”\*

“Instead of bettering these relations it creates causes of conflict. If tenants take advantage of the law, and having gone through the required formalities endeavour to force their landlords to consent to improvements, struggles will arise of which where the tenant is unprotected by a lease the issue is not doubtful; they will engender but fresh and inevitable causes of eviction.”†

“Besides, what an amount of complication in the mechanism of this bill! Doubtless the wealthy farmer, with time and money at his disposal, will consent to go through these formalities, and will not baulk at steps from which he hopes to draw a reasonable profit. But how will the small tenant, with but a few acres of land make up his mind to enter upon so difficult and complicated a process in order to get permission to undertake his modest but indispensable improvements?”‡

“And would not the prospect of a refusal, and the too well

\* A Presbyterian landlord of Ulster.

† *Idem.*

‡ A former functionary of the Incumbered Estates Court.

grounded fear of bringing upon himself and his family evils which it would be useless to bring about by displeasing his landlord, be sufficient to scare him from the attempt?"\*

"One clause of the bill would have justified expectations of general and serious improvement among the agricultural classes; namely that which to the exclusive judgment of the landlord upon the utility or projected works added the impartial and enlightened arbitration of a magistrate. This guarantee is however useless to the tenant, since the *veto* of the landlord is absolute and without appeal. This *veto* is a permanent obstacle to the progress and improvement of the condition of the working classes."†

"What change will after all have been effected in the conditions under which landed property previously existed in Ireland? Doubtless the two first parts of the bill, relative to improvements made by Limited Owners, and grants of leases, will produce satisfactory results; but they will remain beyond the reach of the mass of small tenants;‡—"and as to the guarantees which the legislator intended to secure for them in the third part of the bill, good landlords gave them spontaneously before the bill, and bad ones will be just as free to refuse them as before the passing of the bill."§ "Practically the question will always be one of the personal kindness or malevolence of landlords towards their tenants. Good or bad, just or unjust, enlightened or the contrary, the landlord will continue to be the sole arbiter of the prosperity and future of the agricultural classes."||

In fine,—and the questions we are about to put may be rightly put in his own name by the publicist to the framers of the measure of 1860,—in what way does this bill secure tenants for the future from the excessive raising of rents, from the arbitrariness of agents, and especially from those terrible evictions universally attended with confiscation and destruction, which feed emigration, fill the workhouses, perpetuate the reign of misery and but too frequently drive the oppressed outcast down the slippery path which leads from despair to crime?

A rapid glance at the dealings between landlord and tenant since the enactment of the new bill will furnish the best answer to these questions.

\* A Presbyterian landlord of Ulster.

† A liberal member of Parliament.

‡ A Catholic Parish Priest of Connacht.

§ A Catholic Bishop.

|| A Dublin Barrister-at-law. One member of Parliament stated that "the Government appeared to him to stand in the position of a doctor who was treating a hypochondriac patient, and who, thinking it necessary to gratify him by prescribing something, ordered him bread pills."—(House of Commons, March 27, 1860.)



## CHAPTER XVI.

## CONDITION OF THE TENANT SINCE THE BILL OF 1860.

ON the 2nd of November 1860 the bill became law; and three weeks subsequently all the papers of Ireland, England, and the Continent were filled with the scandalous scenes which took place on the 22nd, 23rd, and 24th of the same month, on the estates of the Protestant Bishop of Tuam, the harrowing details of which we have sketched above.\*

Previous to the session of 1860, the steadiest and most devoted friends of the agricultural classes demanded in their favour a law capable of protecting them from, and of putting an end to, a regime both barbarous and unworthy of a great nation; this wish is at length apparently responded to by the legislature; a new law invested with the royal sanction is deposited in the archives of parliament; and whilst it increases by one the collection of royal statutes, the destroying Crowbar is awakening the echoes of the Irish mountains to its lugubrious thrust,—the work of Extermination is being pursued,—and poor women are to be seen near the ruins of their humble cabins, making the air resound with the Celtic wail! Are we to conclude from this that the law was not dictated by the best of intentions? By no means; but it is powerless: besides it remains, according to the prediction of its opponents, a dead letter. The maze of precautions and formalities in which its most salutary clauses and most practical provisions are involved, render it impotent to alter or even to influence the strange destiny of a people which is still hunted out of its native land, and is still flying before the devastating exploits of the "Crowbar-Brigade."†

A little later, during the month of January, 1861, a case was brought before the Court of Quarter Sessions, at Bandon, in which justice was in conflict with law, and the former was once again outrageously sacrificed to the latter.

It was a question of a farm, for which a lease for three lives had been granted in 1798. In 1827 the tenant died, and was

\* *Ante* p. 128.

† "With the exception of large cities that appear indifferent to those cruel agrarian evictions, because they do not witness them, there is no portion of the rural districts of Ireland that is not at this moment experiencing all the horrors of the sheep-walk system that is sweeping away the inhabitants from the land."—(Letter of Dr. MacHale, Lord Archbishop of Tuam, to Lord Palmerston, 1st Jan., 1861.)

succeeded by his two sons who divided the land between them, and obtained from the landlord a promise that the lease of 1798 should be exchanged for two other leases of ninety years each, by which the farm and the rent were to be equally divided between them. This purely verbal promise was not executed. The landlord died. His successor denied that he was bound either by this promise, or by the lease of 1798; and he served on both brothers a notice to quit. Meantime the existence of a lease of some sort, and the idea that it would be continued upon more certain and more advantageous conditions, had induced the brothers to lay out their capital freely. They had made considerable advances, hoping that time and future profits would more than repay them. They had put up a house, a mill, a drying room, and barns; incurring an expense of £800. The landlord appealed to the letter of the law; no written deed was at hand to combat his unjust pretensions; and a sentence of eviction was passed by the judge without compensation for the outlay made by the tenants.\*

In what terms are we to qualify this legal dispossession, and this juridical confiscation? Whenever in Ireland *Tenant Right* has been demanded as a protection to the farmer, property alarmed has shrieked out: My rights! my rights! to the rescue! my rights! In this case however, who is it that violates the sacred laws of property, and at whose expense are they violated? What! exclaimed indignantly a liberal journal; "there are Reformatories for hungry children who steal bread to keep life. . . . There is the hulk for the poor peasant who digs out of the soil which his fathers claimed as princes a few turnips to make his miserable meal. . . . But there is no reformatory for the landlord who has taken at one swoop the creations of the industry, the invested savings of one honest man's life!" And this happened three months after the promulgation of a law supposed to put an end to arbitrariness, to render oppression impossible, to close the wound inflicted on the social body by a vicious system, and to inaugurate for the labouring classes of Ireland an era of prosperity hitherto unknown to them! In presence of such a law, with such a commentary, who will be bold enough to attempt to convince us that it can cure such inveterate evils, and close for ever the fatal traditions of the past, since under the action of this very law the very same evils are perpetuated? What Irish peasant, however simple and ignorant you may suppose him, will you persuade that this law represents the sum of English good will

\* Quarter Sessions at Bandon; (Mr. Moody, Chairman); case of Colonel Eyre White Hedges against John Walton. (See *Dublin News*, 28th Jan., 1861, and *Cork Examiner*, 26th Jan.)

of all parties sincerely united in the desire of renewing the face of Ireland; and that to have done anything more extensive or better was impossible?

The twenty-fifth of March is one of the fatal dates for the tenant-classes; it is, as we have said, the ordinary time for spring evictions, as Michaelmas is that for those of autumn. The spring of 1861 was scarcely different from those which preceded it; except perhaps inasmuch as it witnessed a greater quantity of lamentable scenes, and a larger amount of odious violence.

During the month of April a Waterford journal, under the mournful heading "Guests for the Workhouse," informed the public that thirty-eight notices to quit had been served on the same estate by one landlord, who had just bought the property in the Landed Estates Court. At the same period scenes were passing in Donegal which aroused once more the universal indignation of all honest consciences, gave rise to interpellations in parliament, provoked the merciless censure of journals even the most devoted to the cause of landlords, and awaked upon the continent the ever faithful echo of French sympathy for a people oppressed with impunity under "the freest and most liberal constitution in the world,(!)" and in the name of the law itself.

The details of this latter affair we borrow from one of the journals of the Orange party, the *Londonderry Standard*, whose views are uniformly and systematically hostile to Catholicism. The case is one of thirty-nine families who were turned out, because the landlord's agent had been murdered [had at least been found dead] in the district, and because all the researches of justice had failed to make out the assassin.\*

After a legal judgment pronounced by the Court of Common Pleas, the under-sheriff of the county put at the disposition of the owner a body of two hundred constables, commanded by three sub-inspectors.

The constables halted at Loughbarragh; and the under-sheriff accompanied by a small body of them made for a house in which lived a poor widow, sixty years of age, and her seven children, six daughters and a son. When the unfortunate family saw the armed men make for their dwelling, they filled the air with their piercing cries. The under-sheriff however

\* The notorious affair of Mr. John George Adair, (Derryveagh, Letterkenny, county Donegal.) See *Dublin News* of 12th, 20th, 25th and 30th April, 14th May, 10th, 25th, 26th, and 29th of June 1861; the *Sligo Champion*; the *Galway Vindicator*; the *Newry Examiner*; the *Tipperary Vindicator*; the *Cork Examiner* of April 15th; the *Glasgow Free Press*; the *Western Daily Mercury* (Plymouth), of April 24th; the *Dublin Evening Post*; the *Irish American*; and lastly the *Morning Star*, (London).

entered the cabin, and gave possession to the landlord's agent; and upon a given signal the men of the Crowbar Brigade immediately set to work.

Whilst the roof and walls of the poor cabin were falling under the thrusts of the lever, the aged woman and her seven children, seeing themselves suddenly reduced to the extremity of distress, without a shelter for the coming night, threw themselves on the ground in the depth of their despair. Their cries, mingled with the old Irish wail, produced upon the spectators an impression of terror and of profound compassion. The constables, whilst obeying the orders of their officers were moved even to tears.\*

As soon as this cabin was completely destroyed, the undersheriff and his troop continued the same work upon the others successively.

These evictions and demolitions, began on the Monday morning, continued until towards mid-day on Wednesday April 10th. Thirty-six houses or cabins were demolished.†

\* "The scene then became indescribable. The bereaved widow and her daughters were frantic with despair. Throwing themselves on the ground they became almost insensible, there bursting out in the old Irish wail,—then heard by many for the first time,—their terrifying cries resounded along the mountain side for many miles. No one could stand unmoved. Every heart was touched; and tears of sympathy flowed from many. The police-officers themselves could not refrain from weeping."—(*Londonderry Standard*.)

† In spite of the inevitable monotony of such a list, we must give it in full, according to the Protestant paper. The following is the number of families evicted, and of dwellings destroyed :

1. Hanna M'Award, widow and seven children	8
2. Charles Doohan, his wife, son and two grandsons	5
3. Francis Bradley, his wife and five children	7
4. Patrick Bradley, his wife and four children	6
5. Roger O'Flanagan, his wife, brother, mother and four children	8
6. James Gallagher, his wife and seven children	9
7. Brien Doherty, his mother, sister, and one child	4
8. Hugh Coll, his wife and four children	6
9. Patrick Devenny, his wife and two children	4
10. John Friel, his wife and two children	4
11. Michael Friel and his child	2
12. Robert Burke and his wife	2
13. Charles Callaghan	1
14. John Moore, his wife and two children	4
15. Manus Redden, his brother and two sisters, all orphans	4
16. Bernard Callaghan, his mother and brother	3
17. Knocker Kelly and two servants	3
18. William Armstrong and three children	4
19. Alexander Lawn, his wife and four children	6
20. Rose Dermott, orphan	1
21. Daniel M'Award, his wife and six children	8
22. William Woohan, his wife and four children	6
23. Patrick Curran, his wife and five children	7
24. Owen M'Award, his wife and three children	5
25. Mary M'Award, widow and three children	4
26. Daniel Friel, his wife, mother, brother and one child	5
27. William M'Award, his wife and two children	4

Thirty-nine families, forming a total of two hundred persons, were thus thrown on the high way, and out upon the mountains, without a shelter.

Of these two hundred persons thirty-seven were women and 121 infants of tender age.

In all these cases the same scenes of despair were renewed which had so strongly shaken the constables on the destruction of the first cabin.

One old man was especially remarked. "On leaving his house for the last time," says the paper already quoted,\* "he reverently kissed the door-posts with all the impassioned tenderness of an emigrant leaving his native land. His wife and children followed his example, ere those familiar old walls gave way before the crowbars, and in an agonized silence the afflicted family stood by, and watched the destruction of their dwelling."

As evening came on, a fine drizzling rain began to fall, which rendered the situation of these two hundred victims more intolerable. They tried to shelter themselves under the neighbouring hedges, and to light a turf fire, in order to prevent the women and children from being frozen by the night cold and the rain. The workhouse of Letterkenny was more than sixteen miles distant, and the neighbouring tenants, had, it is said, received orders to give them no shelter.†

The constables were indignant that the poor-house officer who had been informed of the execution did not appear, in order to provide for the first wants of these two hundred people turned out without shelter and without food.

The unfortunate people bore testimony to the kindness of the

28. James Doherty, his wife and one child	. . . . .	3
29. John Bradley, his wife and three children	. . . . .	5
30. Michael Bradley, his wife and four children	. . . . .	6
31. Catherine Conaghan, widow, her sister, brother-in-law, and two children	. . . . .	5
32. Edward Coyle, his wife and one child	. . . . .	3
33. Knocker Friel, his wife and six children	. . . . .	8
34. Edward Sulleney and three children	. . . . .	4
35. Daniel Doherty, his father, mother and two children	. . . . .	5
36. Bryan Doherty, his wife and four children	. . . . .	6

Besides these the three following families were evicted but their dwellings were not destroyed :

Hugh Sweeney, and two sons	. . . . .	3
James Sweeney, his wife and eight children	. . . . .	10
Owen Sweeney, his wife, mother and eight children	. . . . .	11

Lastly, three other families were kept as weekly-tenants; that is to say, the proprietor reserved to himself the right of evicting them within seven days after notice. They were not even tenants in the ordinary sense of the term.

\* *Londonderry Standard*.

† "It is said that the householders on the other side of the lake were warned not to harbour them, and the poor-house being at Letterkenny they could not walk so far."

under-sheriff and the constables in the performance of their terrible work. No attempt at resistance was made; and in this, as in many other similar cases, the tears of the victims were the only protest against so cruel a contempt of the rights of humanity. What an empire has not Christian faith over those poor Irishmen, since it is powerful enough with them to suppress even the outburst of despair! To see the house in which he was born and bred pulled down, and the helpless and cherished ones of his bosom, his wife and children, thrown out upon the road half naked! Do we rightly realize how much energy and supernatural courage a man must have at such moment, in presence of such a sight, to thrust down the tempest of desolation and revenge which rises up from the innermost depths of the heart, which bewilder men, and are mighty enough to turn the scene of these evictions into a bloody battlefield?

Here again the faith of the oppressed is a source of protection to the agents of the persecutors. On the eve of the terrible execution, the priest had gone from cabin to cabin; he had administered the last sacraments to the sick who were on the morrow to be taken in their bed-clothes and exposed to the raw air; he had quieted the hottest and most exasperated, had spoken to all words of conciliation and peace, and had exhorted the people to confide their cause to Him who hears the groans of the poor, and who despiseth not the prayer of the oppressed.\*

A few days afterwards the greater part of these unfortunate people were shut up in the Workhouse.†

For those who are obliged to remain there, all hope of human and temporal happiness is at an end; family ties are severed; the possibility of creating for themselves by their work an honorable position in the society of their fellows no longer exists; for them all earthly hope is at an end. Is not the work of which they are the victims truly a work of extermination and death?

Universal and formidable was the noise created by this lamentable affair both in the press and among the public. The barbarous proceeding which had at one stroke reduced forty families to the most absolute distress was mercilessly stigmatized by men of all parties and of all opinions.

The landlord had but one thing to say in his defence:

\* "Non despiciet preces pupilli."—(*Eccli.* xxxv. 17.) "Ego audiui gemitum filiorum Israël."—(*Exod.* vi. 5.)

† Since that time subscriptions organized in Ireland, England, France, and especially in Australia, produced a sum sufficient to enable those of the Derryveagh tenants young and strong enough to undergo the fatigues of a long voyage to emigrate. They embarked for Australia at the end of January 1862.

namely that he was not the only one who had acted in that manner; and that deeming it necessary to intimidate his tenants by an act of rigour he had only applied one of the principles of the old Saxon law, still in force in the *Malicious Injury Act*, which holds the whole of the inhabitants of a district responsible for crimes committed or wilful damage done within it.

In fact but a few months previously an illustrious landlord in the South of Ireland had scandalized the world by pretending to apply in a similar case this principle of the responsibility of all for a single criminal.

A murder had been committed upon the estates of Lord Derby, at Doon (county Limerick). The murderer had eluded all pursuit. Were the people of the place morally guilty of complicity with him, by refusing to tell what they knew, and thus to lend a hand to justice in its investigations? We cannot say. In any case the perpetrator of the murder remained undiscovered. Lord Derby then got notices to quit served upon eight or nine families who lived nearest to the theatre of the crime; and at a tory banquet, given shortly afterwards at Liverpool, attempted to justify his conduct by appealing to the traditions of the Saxon code, and to the necessity of preventing similar murders by the fear of the terrible chastisement of eviction.

The sentence was to be carried into effect on the 25th of March 1860;\* but public opinion was strong against the use of a practice borrowed from barbarous times, and unable to reach the criminal, if reach him it does, but at the expense of a great number of innocent men. It was then that a Protestant gentleman an ex-member of parliament, wrote to Lord Derby a public letter, in which he showed with iron logic all the iniquity and arbitrary violence of such a measure.

The principle of the English constitution, my lord, said Mr. Sharman Crawford,—(and how comes it that Mr. Adair did not turn these noble words to account?)—is that every one who is *not proved guilty* ought to be *presumed innocent*. But you, my lord, you reverse this principle; you create a new criminal code; and you place in the hands of the landlord a triple power,—legislative, judicial, and executive,—for the punishment of crimes whether real or but suspected. Once entered on this career of arbitrary power, where are we to stop? Is

\* The very day upon which the *Correspondant* published, upon the question of Irish Tenants, an article in which the present writer spoke of this affair of Lord Derby, and in which, without knowing the subsequent termination of the matter, he expressed a confident hope that Lord Derby would give way before this manifestation of opinion, and would do homage to it by not pushing his threat any farther.

that the way you would pretend to ameliorate the condition of Ireland?

Besides, (he continued,) sentence of expulsion pronounced against tenants for such a reason amounts for them to sentence of death. What landlord will admit them after it? And what will become of these unfortunate people who have not the means even to emigrate?

It is for you, my lord,—concludes Mr. Crawford,—to see and to judge whether under these circumstances you have fulfilled your duty as a landlord, and I may add as a Christian, in causing a notice to quit to be served on your tenantry at Doon merely because you *suspect* a crime of which it would be impossible for you to demonstrate the existence before a jury by any satisfactory evidence.\*

This appeal to the better sentiments of justice and humanity was not made in vain. Instead of braving public opinion, Lord Derby had the noble simplicity and courage to respect it. The sentence of eviction was not carried out. We may affirm that Lord Derby has no reason to repent having laid aside, in such a case, the “principles of Saxon law.” By respecting the rules of English procedure, which prefers letting the guilty escape to smiting the innocent, he has strengthened his rights, and secured the interests of his property, by an improvement in his relations with his tenantry.

To conclude: the example of Lord Derby, far from justifying Mr. Adair, was an unmistakeable condemnation of his conduct and of the inflexible rigour with which he availed himself to the utmost of the rights of property.

This condemnation was speedily followed by the indignant cry of all consciences. The English papers themselves gave vent to their feelings in terms which had they come from an Irish pen would have been taxed with exaggeration and partiality, and which form a crushing accusation against the exterminating landlords.

Tacitus,—said the *Morning Star* of April 15th,—makes mention of four hundred slaves who were put to death because one of them had assassinated their patrician master. Considering the contempt which the Romans professed for their slaves, this massacre was almost less atrocious than the act which has just been accomplished, under the cloak of law, by a landlord in the north of Ireland. Is it not truly horrible? Yet the account does not come to us from India, or New Zealand: it is among the subjects of the Queen of England, and within less than twenty-four hours distance from her

\* In the *Freeman*; Letter to Lord Derby, 13th Nov., 1859.



palace, that these things have been done. We try in vain to be calm before such an act. No doubt the law allows a landlord to do what he likes with his *tenants-at-will*, and to sweep them away from him when he chooses . . . . . but "the moral sense of modern society is more powerful than such laws, and surely this proceeding is as shocking an outrage upon that moral sense as has been suffered for a long time." . . . . . "In what times do we live?—under the rule of law, or that of petty local tyrants who make their caprice or passion their guide?" . . . . . "The interests of these landlords themselves as well as the credit of our law, civilization and Christianity demand such a legislative change as will deprive the Irish proprietor of the power of making himself jury judge and executioner upon the innocent of undiscovered crime."

Another English paper, the *Western Daily Mercury*, of Plymouth, was neither less energetic nor less severe:

"We denounce the atrocities of the past; why should we be reticent with regard to those enacted in the present? We stigmatize the tyrannies practised in other lands: shall we be silent as to those practised in our own?" There has been a crime; but must we punish the innocent for the guilty?—"Are we to take the law into our own hands, and avenge one crime by perpetrating another which is no less a crime because it is sanctioned by usage?"

At the same time that the press was engaged upon this affair, and was unanimous in protesting against the Derryveagh evictions, the same protestation was made on three nights in the House of Commons; (April 12th, April 19th, June 25th.)

Mr. Scully—begged of parliament not to devote its attention exclusively to the oppressed nationalities of the Continent, but to reserve some small share of its solicitude for the poor people of Ireland, the victim of abuses which were "a real scandal to civilization and Christianity."\*

Lord Fermoy did not hesitate to say that when the rights of property were exercised in so barbarous and anti-Christian a manner, it was the duty of government to interfere and put down such excesses.†

On the 19th a discussion arose relative to a motion made by Mr. Scully, to withdraw from the proprietor who had so outrageously violated the principles of humanity and justice the royal commission of Justice of the Peace: and as a certain member attempted to justify the landlord's conduct, Mr. Monsell spoke strongly against this apology and added the

\* House of Commons, April 11th.

† *Idem*.

censure of indignant honesty to those which had already fallen upon the exterminator.\*

The motion was again brought forward on the 25th June: but the fear of bringing public authority to interfere in matters in which English tradition is so jealous of any state controul caused the rejection of the motion, and the house passed to the order of the day.

If government did not think proper to approve the universal censure elicited by the conduct of the Donegal landlord by a repressive measure, we are bound at least in justice to state that it attempted to check him in his revengeful and arbitrary proceeding. In a letter written a few days previously to the lamentable scenes we have just described, the Lord Lieutenant disclaimed in the name of the crown all responsibility for a measure which was to result in the utter destitution of two hundred persons.†

In presence however of a ruined village and of an unjustly proscribed population does the repetition of a but too celebrated saying suffice: "*I am innocent of the blood of these just men, look you to it, (Irish landlord!): as for us, (Ministers of the Crown) we wash our hands of the affair!*"

Another eviction took place at the same time in the county of Kilkenny, less ruinous indeed in its consequences, but more extraordinary in the circumstances which accompanied it.‡

A family named Cormack held, under the illustrious house of Ormond, a farm of considerable extent in the district of Coolaghmore. A long lease, the kindness of successive inheritors of the estate, and the confidence of the tenant resulting from that kindness, had totally changed the face of the land which had been the subject of the original contract. The Cormacks had laid by wealth, and had increased the value of the farm by £300 per annum. On the falling in of the lease, they immediately offered to add that amount to the previous rental. A refusal, followed by a notice to quit, was the only

\* He asked "whether anybody could for a moment palliate conduct attended with such frightful results to such a number of people."—(Mr. Monsell; House of Commons, May 19.)

† This letter, written to Mr. Adair by order of the Lord Lieutenant, is quoted in the *Western Daily Mercury*, of Plymouth, and also in the *Dublin News* of the 26th. The following are the very words of the document:

"While his excellency does not question your undoubted right to dispose of your property and the tenantry who occupy it in such a way as you may be authorized by law to do, his excellency nevertheless feels it his duty to call your attention to the serious responsibility which will attach to so extensive an operation as you appear to contemplate by the simultaneous eviction of fifty families from their holdings, and to the results which may arise from its being carried into effect."

‡ See the Kilkenny papers from April 18th to May 3rd.

answer received from the agent of the young landlord, a minor who is finishing his education at one of the universities.

This case is not one of a family beggared; for the Cormacks were large farmers, long settled in the country, to whom their industry had brought wealth. Neither is the question here as to the right of the proprietor to eject a tenant, even without a reason, in order to replace him by others. In all this there is doubtless nothing but what is very rightful in law, being of the strictest legality. But what was decidedly unjust, although legal, was the dispossession of a family of what the labour of its fathers had handed down to it for seven generations: that, by an arbitrary act, the proprietor should seize for his sole profit the entire body of improvements which two centuries of cultivation of an originally sterile tract of land had necessitated, the value of which tract had by these improvements been increased to the amount of £300 per annum. Observe: the case is ever one and the same: confiscation, on a large scale, and an attempt to screen behind the legal, rights of property the violent proceedings of dishonest cupidity.

The Cormack family had long been known and respected in that part of the country. The Tipperary farmers in the mountains bordering on the Coolaghmore land have got in times past into such formidable repute,\* that the authorities did not deem it prudent to attempt the eviction with the ordinary police force and men of the Crowbar Brigade. Orders were accordingly given to four batteries of Royal Artillery to march upon Coolaghmore. This was the first time that in Ireland recourse had been had to this arm of the service to carry into effect sentences of eviction; possibly these very artillerymen sent upon this strange expedition had encamped under the walls of Sebastopol; what a humiliation to brave soldiers to be obliged to act in such an execution!

The scene which followed is related by an eye-witness; and shortly afterwards the details were confirmed by a magistrate,† who publicly challenged contradiction to the statement he made in several letters written to a Dublin paper.‡

On the 16th of April, at eleven o'clock in the morning, the troops ordered out by the sheriff of the county were ranged in order of battle around the Cormack's house, the young mistress of which had been married the previous week. The guns had even had to pass under the arch thrown across the road by the villagers in honour of the bride, which had not yet been taken down.

\* The county Tipperary is one of those in which the greatest number of "agrarian murders" have been committed.

† Mr. Daniel Welply of Skibbereen, J.P.

‡ "For the truth of the statements contained therein," said he, "I shall hold myself responsible."

The shutters of the house were closed, and the doors bolted within. They were forced one after the other by the hammer and the crowbar. It was a regular siege, which lasted several hours; although the only persons within to resist this violent aggression were a few women and children.

When at last the doors were torn into pieces, the constables emptied the apartments of everything; beds, chairs, wardrobes, piano, toys, china, all was thrown out in disorder on the lawn.

The captain in command of the artillery then asked and obtained leave to withdraw with his men, his guns, and thirty-two horses, and made for Kilkenny. Scarcely however had he set out when the order was countermanded. The Tipperary peasantry had been unable to look quietly on this strange and undeserved chastisement of an old and respected family. Their numbers and their threatening attitude gave the police officers reason to fear a conflict. The constables were not sufficiently strong to make head against them. The artillery was retained until late in the evening, and the legal eviction of the Cormacks was effected under the actual protection of their cannon.

From all this one thing is pretty evident: that the English government, so scrupulous and so reserved when the life of two hundred and fifty persons is at stake, is troubled with neither doubt nor hesitation when the rights of property have to be vindicated by armed force.

Weighing these sad facts conscientiously and with the coldest impartiality, can we now be astonished to see Ireland "*disaffected*," and "*disloyal*," when no quarter passes without some similar scene to move the very bowels of the people with the bitterest memories of the conquest? when the authority of a crown, borne by so noble a woman, by so estimable a mother, by a queen so justly loved and revered, shows itself to that people under no other form than the cannon and the levers of the Crowbar Brigade? when that people knows that the most crying injustices, although disavowed by ministers, stigmatized by magistrates, condemned by parliament, and blighted with the ban of European opinion by the press both English and Irish, Catholic and Protestant, have still in their favour the letter of the law? How, once more we ask, how attempt to persuade that people that the Bill of 1860 is to better their condition, and inaugurate for them a new future, when in 1861 they are spectators of evictions more odious and revolting than any even that have preceded them?

Step out of the maze of minute particulars which make up the bill of 1860, and of those complicated forms through which men of the law alone can find a path: without bewildering

yourself with the formulæ of this legal jargon, stop for a moment beside the peasant as he digs out his scanty crop from his little strip of land, and as he gives you a cordial greeting ask him how he is affected by this famous bill, about which the ministerial press has made so much ado, and which has been praised to the skies by official publicists. Is the future any more certain for him? Is his rent less heavy and more reasonable? Is he freer to vote according to his conscience at the next elections? Hard work has enabled him to lay by ten pounds. To what use will he turn them? Will he attempt to make his way through the labyrinth of your law, in order to get his landlord's permission to lay this money out in "improvements?" Or rather has he not already been seeking information at the nearest emigration agency? Is he not rather bent upon joining beyond the seas those relations or friends who have gone before him to America, and who after having like him been unfortunate in Ireland have already begun to lay by money in a free country, and who press him to come and share with them a better lot?

The grave question of landed property is then still unsolved: it still remains for Ireland a source of distress and oppression.

How urgently notwithstanding is not a satisfactory solution of that question required, in a country where commerce and industry employ but a small number of hands, and where for the greater part of those who do not gain their livelihood in agricultural labour, there is neither lucrative employment, nor honest means of living?

We shall endeavour to examine these further questions in the following Book.

## BOOK THE THIRD.

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# INDUSTRY AND COMMERCE.

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### CHAPTER I.

#### INDUSTRIAL RESOURCES OF IRELAND.

IRELAND is naturally fertile, and yet the agricultural class lives in wretchedness upon the land it tills. Ireland possesses great industrial resources, and yet manufactures are more backward there, more shackled, less productive, than husbandry. They do not afford sufficient work to the arms which the consolidation of farms leaves idle: they afford neither work nor wages to the families which hunted in from the country are obliged to huddle together in the towns. This fresh contradiction requires explanation.

In the first place, is it true that Ireland has been abundantly gifted by Providence with the resources indispensable to manufacturing enterprise?\*

The three elements which go to make up the complex whole called the industry of a nation are these:—

The motive agents of modern industry, or the Implements necessary for work:

Mineral and vegetable wealth,—which are useless to man in the raw state, and which necessarily require the co-operation of industrial action,—or in other words the Material to be wrought:

Those lusty arms, which are employed afar in reclaiming the American savannahs, or in tilling the rich soil of Australia, and of which the great manufacturers of Leeds, Manchester, and Birmingham proclaim the worth, by calling them into their manufactories,—in other words, Workmen.

\* We confine ourselves on this point to abstract from the learned work of Sir Robert Kane, Pres. Queen's Coll. Cork : *The Industrial Resources of Ireland*, (Dublin, 1844.)

To these three elements must be added facility of communication and the vicinity of the markets; the presence of consumers; and finally that without which all the rest is powerless, namely, the outlay of capital and the spirit of enterprise.

Of all these resources which are those at the command of Ireland? How comes it that compared with England, her neighbour, and her so-called *sister*, Ireland is so backward in the matter of manufactures as even to be indeed still in the very infancy of industrial life?

First: it is not hands that are wanting to manufactures; it is on the contrary because manufactures in Ireland are not sufficient to employ them and to meet the wants of the workman that thousands offer themselves yearly to the English and Belgian workshops. Eight years ago the number of Irishmen settled in Liverpool amounted to 50,000;\* in the county of Lancashire to more than 100,000;† and in the same proportion in all the great manufacturing centres, in Leeds, Sheffield, Birmingham, without mentioning that population which hives together in the east of London, and which has given such a sad celebrity to the Irish courts of the East-end. Irish workmen are equally numerous in the workshops and manufactories of the Brabant provinces in the south of Belgium, and in the north of France.

Now why do these myriads of hands enlist in the service of rival or foreign manufactories? Is Ireland then without the instruments and materials necessary for manufactures?

On the contrary she is abundantly provided with them.

If coal is less plentiful than in England, still it is found in considerable quantities; and geologists count no less than seven immense coal-beds, rich in anthracite in the southern half of the island, and in bituminous coal in the northern half‡

Moreover, the whole of the north-west, which presents such immense obstacles to the development of agriculture by reason of the bog lands of which it is almost exclusively composed, has been compensated for the sterility and absolute nudity of its soil in the deep turf which extends from Galway up towards the county Leitrim. The heating power of turf, it is true, is less by one-half than that of coal;§ and up to the present sufficient exertion has not been made to extract from it the

\* Léon Faucher; *Etudes sur l'Angleterre*, &c.; I., 180.

† *Ib.* p. 266. (The reader will find more minute details and more recent figures on this subject farther on, in the *Book on Emigration*.)

‡ Thom's *Off. Direct.* 1861, p. 687. *Industrial Resources of Ireland*, p. 1 to 40. *Treatise on Modern Geography*, by the Christian Brothers, p. 55.

§ *Industr. Res* ; p. 35.

water to allow of its use in furnaces workshops and steam engines. It is however certain that this is a combustible of which the importance will be better appreciated according as the national manufactures are developed.\*

Water is another powerful auxiliary of manufactures, where the necessary resources exist for directing it, governing it, and applying its motive power to the vast undertakings of industry. It needs but to glance at a map of Ireland to see that in water-power she is one of the richest countries of Europe. Lakes, rivers, mountain torrents, bounding down in majestic cascades, or gliding away to the lakes and the sea through the pasturages which they renew and the fields which they fertilize,—such are the sights which give us a right to say that in this regard Ireland has been treated by Providence with visible liberality. Besides Loch Neagh,—in Ulster, the largest lake in the United Kingdom, and one of the finest in Europe, (its superficies being 98,255, acres†),—Loch Corrib, in Connacht, (43,484 acres),—Loch Derg, in Munster (29,570),—Loch Mask, in Connacht, (22,219),—Loch Erne, in Ulster, (Lower 28,000, Upper 9,278),—and the renowned Lakes of Killarney (6111),—Ireland counts no less than 150 other smaller lakes.‡

Sir Robert Kane estimates the average water-power of Ireland at about three and a-half millions of horse power. Reducing this figure to one half, on account of local difficulties which in many parts would prevent the use of water-power, the amount of that power still remains very considerable, and skilfully applied to manufacturing operations might easily make up for Ireland's inferiority to England in the matter of fuel.

If fire and water are indispensable elements in and necessary conditions of industrial operations, iron alone can supply the instruments without which these operations are impossible. Industry makes use of mighty and powerful machines and of instruments delicate and made for almost microscopic work; and iron it is which gives them to her. Three centuries ago Ireland was in iron one of the richest countries in Europe;§ and many Englishmen who had settled down in Ireland in the

\* "There is in our bogs amassed a quantity of turf, which, if the peculiar characters of that fuel be suitably attended to, may become of eminent importance to the country."—(*Industrial Resources of Ireland*; p. 40.)

† For these details see Black's *Picturesque Tourist of Ireland*; p. 3; Edinburgh, 1860.

‡ See the enumeration in the great statistical work entitled: *The Parliamentary Gazetteer of Ireland*, vol. I., p. 43 and 44; Dublin 1845.

§ See *Natural History of Ireland*, published during the first half of the seventeenth century by Gerard Boate; and reprinted by Samuel Hartlib in 1652, and dedicated by him to Oliver Cromwell: published a third time in 1860 by Mr. Alex. Thom; (p. 104 and seq)



wake of war and confiscation, turned to account Irish iron, which they manufactured and exported to England.\* But the expense necessary to work the ore in Ireland has for a long time been so great, that it has been found more economical to import English iron. In 1857 there was but one blast furnace at work in Ireland which turned out 1,000 tons of pig iron annually.† This falling off is due however to accidental causes, and it is not nature in this case that fails to meet the demands of society. Iron is in the earth there, in large quantities; and why should not the day come when, as in the time of Cromwell and Elizabeth, Ireland may be equal to the production and working of a metal so universally used? If it remains forbidden to Irishmen to fashion arms for the conquest of their national independence, may we not at least desire that they should owe to none but their native soil the steam-engine and the ploughshare?

To pass over the other mineral wealth of Ireland, (copper, lead, silver, manganese, &c.), it must be observed that that country counts among its productions first-rate qualities of beet root and fibrous plants; from the former of which native sugar might be got, and from the latter linen and stuffs manufactured.

It would appear that up to the present the expenses of manufacturing beet root sugar have exceeded the profits of the manufacturer, and put it out of his power to compete with the colonial sugar. Flax and hemp, on the contrary, have made considerable progress. In fact the manufacturing operations of Ireland are almost exclusively confined to these two articles; and if we mention the workshops of Ulster, and especially the spinning machines of Belfast, we shall have enumerated nearly all. As to silk, woollen, and cotton, they scarcely figure at all in the total of Irish manufactures.

The extension and improvement of the roads, canals, and railways must equally be taken into account, if we wish to obtain an idea of all the Industrial and Commercial resources of Ireland. What advantage, in fact, would a certain spot of territory enjoy by possessing coal, iron, or wool in abundance, if that point were isolated, and had not easy communications with localities where this iron, wool, or coal might find purchasers, and thus form a commerce?

Upon this latter point great improvements have been made within the last thirty years. As early as 1765 and 1789 the

\* *Industr. Res.* p. 117.

† "Iron ore is found in all the localities of coal, and was largely manufactured while timber for fuel was abundant; but in 1857 there was but one blast furnace in Ireland which made above 1,000 tons of pig iron."—(Thom's *Offic. Direct.* 1861.)

Grand Canal, and the Royal Canal—and afterwards the Ulster Canal—by bringing opposite arms of the sea into communication, became precious auxiliaries to foreign commerce as well as to that of the interior. The famine of 1847, and the necessity of saving from starvation thousands of men by giving them work, have covered the most hilly and least frequented counties with excellent roads, equal at least to those of England and Scotland, and having over the latter the advantage of being less full of toll-bars.\*

Finally, from 1839 to 1859, 1,265 miles of railway, divided among thirty-seven lines, principal and secondary, have been opened for traffic. The number of passengers which in 1839 amounted to 1,341,208, amounted in 1859 to 9,445,233: and the receipts both from passengers and goods transport has risen from £34,716 to £418,066.†

Thus in the interior the lines of communication are multiplied, and meet all the requirements of commerce and industry. As to external relations, scarcely any country in the world has been favoured to such an extent as Ireland—both as to the number and conveniency of her ports and bays, which shelter shipping and hold out to maritime commerce of the seas safety and advantages of every description. Galway and Limerick for communication with America, the nearest European country to which is Ireland; Derry and Belfast for communication with Scotland; Drogheda, Dundalk, Dublin, and Waterford for communication with England; Cork with her port of Cove, (now called Queenstown), one of the vastest and best situated harbours in the world, serving as a station for the steamers plying between Liverpool and America, and which united to Cherbourg by a line of steamers would so easily put France and Ireland into direct communication; without mentioning many ports or havens of minor importance: such advantages appear to us to furnish evidence upon which we may rightly conclude that Ireland is wanting in none of the resources which create, sustain, enrich, and develope a real national industry.

\* “The roads in Ireland are generally equal to those in England or Scotland, and have the recommendation that there are few, [now no] toll-bars.”—(*Black's Guide*, p. 5.)

† Thom's *Off. Direct.* 1861; p. 718, 719.

## CHAPTER II.

## ENGLISH MONOPOLY IN THE SEVENTEENTH CENTURY.

FROM the time when Ireland was definitively conquered by England, and especially from the end of the seventeenth century, every means were tried by the latter to ruin by penal laws and prohibitive measures a competition which might have proved fatal to her.

At the end of the seventeenth century a certain branch of manufacture had attained a highly prosperous state in Ireland. It was especially for all the southern provinces the principal source of riches and well-being. This branch was the manufacture of Woollen stuffs. But as the superiority of these fabrics over those of England damaged the English manufacturers, the London Parliament resolved upon their annihilation. In the month of June, 1698, the Lords and the Commons presented to William III. an address, which the king answered in words that have acquired questionable celebrity,\* as being the very echo of British jealousy of the vanquished country and its inhabitants: "I shall do all that in me lies to discourage the woollen manufacture of Ireland."†

A resolution in conformity with this request and this promise was forwarded to the Dublin Parliament, which had the meanness to frame a law upon it. On the 25th of March, 1699, an exportation duty was put upon Irish cloths, equivalent to absolute prohibition; and this was followed by the immediate ruin of Irish manufactures. "The ruin of these manufactures," adds M. De Beaumont, with reason, "was consequently not the

\* The precise words of the address of the English Parliament are these: "We most humbly beseech your most sacred Majesty that your Majesty would be pleased, in the most public and effectual way that may be, to declare to all your subjects of Ireland, that the growth and increase of the Woollen Manufacture there hath long been and will be ever looked upon *with great jealousy* by all your subjects of this kingdom, and if not timely remedied, may occasion very strict laws totally to prohibit it, and suppress the same."

† "I shall do all that in me lies to discourage the Woollen Manufacture of Ireland, and to encourage the linen trade there, and to promote the trade of England."—(Quoted by Arthur Young in his *Journey in Ireland*, Part II. p. 107; and by all historians.)

unforeseen effect of measures taken, but was precisely the consequence desired and expected from them.”\*

Eleven years later, fresh selfish and jealous annoyances on the part of the English government threw fresh obstacles in the way of the industry and commerce of Ireland. A law of Queen Anne forbade Catholics to keep more than two apprentices.†

The commerce of the seas had as much as internal industry been the object of hostile and selfish watchfulness. The *Navigation Laws* had radically annihilated all colonial commerce, by forbidding the colonies to carry their produce directly to Ireland. All colonial produce imported into Ireland was first to be unshipped in an English port.‡

Not content with excluding commercial and manufacturing Ireland from a free and honest competition, the English went so far as to attempt to confiscate for their own use the very elements of industrial development. Swift affirmed in 1727: “As to shipping of its own, Ireland is so utterly unprovided, that of all the excellent timber cut down within these [the preceding] fifty or sixty years, it can hardly be said that the nation hath received the benefit of one valuable house to dwell in, or one ship to trade with;”§—all had been taken over to England, and had been used in the construction of fleets destined to carry into English ports the produce of the four quarters of the world.

Hence the keen but sad questions which form the body of the *Querist*|| of Berkeley, Bishop of Cloyne; an intelligent and sincere lover of his country. Hence that question so full of melancholy irony, in itself so sorrowful a protest against the hard lot met with by vanquished Ireland at the hands of the victorious metropolis:

“Whether if there was a wall of brass a thousand cubits high” [intercepting consequently all communication between England and Ireland] “round this kingdom, our natives might not nevertheless live cleanly and comfortably, till the land, and reap the fruits of it?”¶

Already as early as the time of Swift, it is true, there was a party which extolled the commercial “prosperity” of Ireland, by keeping an exact account of the number of head of cattle,

\* Vol. I.; p. 99.

† “Papists not to keep above two apprentices, nor under seven years.”—(8 Anne, c. iii. s. 37; 1710.)

‡ “No colonial produce whatever being permitted to be brought to Ireland until after it had first entered an English port, and been unloaded there.”

§ Dean Swift; *A Short View of the State of Ireland*.

|| Reprinted in 1847, with the above-mentioned little work of Swift.

¶ *Querist*. Qu. 134.

and pours of butter annually exported to England; and then, as is still done to-day, Swift and Berkeley exposed in all its nakedness the sophistry of this theory.

Could any foreigner imagine, asks Berkeley, that in a country from one port of which, (Cork), 107,161 barrels of beef, 7,379 barrels of pork, and 85,729 firkins of butter are annually exported, half the population is starving?\*

Whether can we, he asks in another place, talk of the prosperity of our country, so long as our beef is exported and our peasants live on potatoes?†

Whether is it not the true principle of commerce only to import foreign produce in exchange for the surplus of domestic produce?‡

Can we consider among surplus produce those quantities of beef, butter, wool, and leathers which are exported from an island whose inhabitants are half naked and starving?§

“Whether it would not be wise so to order our trade, as to export manufactures rather than provisions, and of those such as employ most hands?”||

But English interests had long before answered these bold questions. Agricultural Ireland was to be turned into one immense farm for English Protestant colonists. Industrial Ireland was to be blotted out, to disappear; so as to leave a clear field for the speculations of London manufacturers.¶

Two tables in the world by Jove were placed  
For each estate: at one of which we see  
The keen, the wary, and the stoutly braced:  
Aside, the weak who eat their leavings modestly.\*\*

\* *Quer.*, 142, 143.

† *Quer.*, 169.

‡ *Quer.*, 172.

§ *Quer.*, 173.

|| *Quer.*, 174.

¶ Since the abolition by Act of Parliament of the manufacture of Irish cloths, Irish wool has been sent in the raw state to the Yorkshire manufacturers to be worked there.

\*\* Lafontaine, *Fable of the Spider and the Swallow*:

“Jupin pour chaque état mit deux tables au monde,  
L’adroit, le vigilant, et le fort sont assis  
A la première, et les petits  
Mangent leur reste à la seconde.”

## CHAPTER III.

## PRESENT CONDITION.

MEASURES *directly* prohibitive of Irish manufactures have disappeared with the rest of the odious array of the penal laws. Since the end of the seventeenth century, and particularly since Municipal Corporations have been thrown open to Catholics, we may say that in a commercial and industrial point of view Ireland has been, *as far as law can now do it*, put upon complete equality with England.

It is however sufficiently clear that to abolish oppressive and selfish laws is not to raise up what those laws were expressly framed to destroy. In industry an advance of a century gained by one country over another puts competition out of the question; especially when the favoured nation enjoys unlimited means, and in the other there is an absolute want of capital.\* England then restored liberty of commerce and industry to Ireland at a time when she had nothing to fear from her generosity; which was but an act of reparation. Things had however by that time taken the required turn; the commerce of the world was streaming into the English market; and to-day, just as thirty years ago, with the export tables published yearly by the Irish Customs before our eyes, we are justified in repeating the question of the Bishop of Cloyne: What do all those exportations of cattle and food from a country where such numbers are starving, go to prove?

\* This decay of the industry and commerce of Ireland, for a moment checked by the liberal measures of the Parliament of 1782, has been peculiarly sensible at Dublin from 1800 to 1843, as the following table abundantly proves :

Business.	Number of Workmen employed in		Weekly Wages.	
	1800.	1843.	1800.	1843.
Woollen stuffs . . .	2,500	350	£1 10s	8s
Hat manufacture . . .	400	70	£1 15s	10s to 15s
Bonnet making . . .	1,100	7	£1 7s	6s
Silk weaving . . .	5,500	250	£1 15s	10s to 12s
Ribbons . . .	1,300	15	30s to 40s	6s to 8s
Skins and Parchment	300	60	£1 10s	15s
Leather-dressing . . .	200	60	£3 to £3 18s	18s to 20s
Tin working . . .	150	50	£1 15s	15s.

Would it not be better to export nothing but manufactures which keep hands employed, and use our own produce to feed and clothe our countrymen?

The Irish are certainly not envious of nor do their real friends wish to see them favoured with that excess of manufacturing labour which, in France, in Belgium, and more especially England, concentrates thousands of workmen around a single establishment, to the great detriment both of morality and of domestic life,—which too frequently brings a man down to the level of the machine he serves,—makes old men of children, by excessive work and the premature ravages of vice,—and disciplines for the social revolutions with which Europe is threatened legions of formidable auxiliaries.

We must be on our guard here on the one hand against an unreflecting enthusiasm, which would see in the industrial life of Manchester and Leeds the ideal of a great people's activity; and on the other against that retrograde, surly, unenlightened spirit, which is perpetually launching anathemas against material progress, and pouring forth maledictions upon commercial industry and wealth.

Industry is nowise bad in itself. What is bad is the culpable abuse made of it by speculators, without bowels and without morality, who sacrifice to their grasping greed the most sacred interests of the working classes, and care little whether the factory brutalizes and corrupts the workmen, provided it fill the pockets of the master.

Did agriculture hold out sufficient inducements in Ireland to that large class of the population which gives up its life and its toil to that pursuit, we should perhaps experience less regret at seeing Ireland deprived of that industrial development which is so easily made to run counter to what is good and right, and which in the hands of cupidity is but too frequently ruinous to the health and the morals of the working classes.

But in the midst of all the obstacles which impede the development of agriculture, and with large numbers of peasants absolutely unable to secure a respectable future for their families by field labour, we may be permitted to express our regret at the disappearance of that industry which born upon Irish soil, surrounded sustained and vivified by the religious traditions so deeply respected by and so strong among that people, would open up new fields to activity and enterprise, without of necessity introducing among a nation so thoroughly Christian, and so justly renowned for the purity of her morals,\*

\* A homage rendered there as early as the seventh century by a Welsh chronicler: "*Inter varias quibus pollet virtutes, castitatis prærogativa præeminet atquæ præcellit.*"—(Giraldus Cambrensis).

the impiety and depravity which are but too habitually the sad attendants of modern industry.\*

The following is, according to the most recent statistics, the state of industry and manufactures in Ireland.

Woollen, Cotton, and Silk Manufactures have not yet recovered from the blow struck at them by the prohibitive laws of the seventeenth and eighteenth centuries.

In 1856 there were:

12 Cotton factories, employing 3,345 workmen†

33 Woollen factories, employing 890 workmen.

107 Linen factories (nearly all situated in the province of Ulster,) employing 28,676 workmen.

Embroidered Muslin factories, affording employment to large numbers of workmen in Belfast and Limerick.‡

In England, at the same period, the manufacture of woollens and cloth gave employment to half a million of workmen; that of silk to 300,000; that of cotton to 1,500,000.§

\* "That an increase of manufacturing industry in Ireland would be of the greatest value is evident to all. It would relieve the labour market, by the additional employment; it would lessen the competition for land, by affording other means of supporting existence; it would tend to create a middle class, the want of which is so injuriously felt by the country."—(*The Condition and Prospects of Ireland*; by Jonathan Pim; Dublin, 1848; p. 156.)

† Thom's *Off. Direct.* 1861; p. 735. The details which follow are taken from this book.

‡ Another branch of manufacture, viz., that of printed calicoes, was at one time flourishing in Ireland. The principal seat of this manufacture was in the County Kildare; and in 1782 the Dublin Parliament protected the produce of these factories against the competition of English calicoes, by putting a duty of a shilling per yard upon the latter. By means of this measure Ireland was able, in 1784, after having supplied the home market, to export to America printed cottons to the amount of £8,000. A singular part of the business is that English manufacturers, excluded from the Irish market by the measures of the Dublin Parliament, were also roughly handled by the London Parliament, which wanted above all to push on the English Woollen Manufacture. In 1741, an act of Parliament forbade the English to wear or purchase cotton stuffs. This measure was abrogated in 1755, and the manufacture of cotton stuffs was authorized, but subject to a duty of 3d. per square yard. From 1789 to 1830 the Irish manufacture of printed calicoes notably increased. Since 1830 it has rapidly declined; especially in the north, where in 1836 the last manufacture of this kind was changed for cotton spinning.

§ *Treatise of Modern Geography*, p. 76. See also in Thom, p. 110, the comparative Table of manufactures in England, Scotland and Ireland. The following are a few of the details from this Table:—

	Cotton Factories.	Woollen and Cloth ditto.	Silk ditto.	Linen.
England,	2,046	1,793	454	139
Scotland,	152	204	6	168
Ireland,	12	33	0	110



This accounts for the fact of Ireland (who could suffice for herself, if her natural industrial resources were developed), being obliged to look to the English market for supplies. It has been calculated that the annual value of English industrial produce is £150,000,000; of which Ireland buys up full £12,000,000.\* Not only then is she not a rival in competition with England, but she supplies to England one of her best markets. It is from English factories that she receives back the cloths and stuffs, the raw material of which she had herself supplied, by sending over to England her sheep and her wool, the former for the food the latter for the occupation of the artisans of Manchester and Leeds.

The same system of narrow-minded jealousy and selfish monopoly has been applied to the Fisheries; which, one would think, ought to prove an abundant source of wealth and occupation to the inhabitants of an island whose coasts are one series of gulfs and bays, and which contains in the interior so many lakes, rivers, and water-courses of all descriptions. Upon this point all authors, whether English or Irish agree: and the former as well as the latter, acknowledge and directly state that it is by laws alone, either directly or indirectly prohibitive, that Ireland has been deprived of so precious a resource, and her people reduced to live upon wretched potatoes. Not only the land, said the "Dublin Review" for Nov. 1841, (vol. xxxvi.), but the very water itself has been confiscated from the people of Ireland, by laws the direct reverse of the laws of England, and laws constantly enacted ever since the reign of Elizabeth. The income of the fresh-water fisheries alone has been estimated at half a million sterling; and the fish caught is so delicate that it is almost altogether consumed in England. A "Blue Book" of 1824, (p. 127,) bears witness that if these fisheries were properly worked, they would produce so much fish that it could hardly find sale in all the markets of England.

But the proprietors established in Ireland by conquest and confiscation did not confine themselves to reserving for their own exclusive benefit the produce of the fresh-water fisheries.†

The monopoly was carried farther, and the *natural* right of fishing in the sea was taken from the inhabitants of the coasts by the landlords upon whom they depended, and who reserved the profits to themselves.

These regulations so tyrannical, and these oppressive laws have disappeared; but that has not sufficed for the immediate

\* *Treatise of Mod. Geog.* p. 76 and 54; Thom's *Offi. Direct.* 1861, p 82.

† Which one might understand up to a certain point: being masters of the land, they did no more than extend their right to the waters which ran through their domains.

organization of the men and material necessary for the sea and fresh-water fisheries. Too often, even in our times, fishing is but a local resource, entirely destitute of importance in a commercial point of view.\* The coasts of Ireland are not less adapted than those of Scotland and England to deep-sea fishing: nevertheless the greater part of the herrings and other fish consumed by the people of Ireland come from Scotland and England.†

The sea fisheries, which had considerably improved from 1836 to 1845, and from 1853 to 1855, have again evidenced a marked decline. Official figures will easily convince us of this.‡

In the annual Report presented to the Lord Lieutenant and Parliament during the session of 1860, the Commissioners of Irish Fisheries state that of forty stations into which they have divided the coasts of the island, six are nearly in the same situation as in 1859; eight evidence considerable improvement; and twenty-six are in a less satisfactory state.§

The two kinds of fishery which in latter times have been most developed are that of Salmon and that of Oysters.||

It is also within these last few years that devoted and enlightened men have perseveringly endeavoured to give Ireland new facilities of maritime and commercial development. This

\* "The fishermen, except at Galway, are for the most part holders of small patches of land, and possess only rude, occasional, and inefficient means of prosecuting fishing."—(*Parliamentary Gazetteer of Ireland*, I. p. 97.)

† In 1858 there were exported from England 367,160 barrels of herrings; and 34,310 cwt. of cod. Ireland alone figured for 58,534 barrels of the former, and 16,447 cwt. of the latter, bought in the English market.—(*Annuaire d'Econ. Polit.* 1859, p. 423.)

‡ NUMBER OF VESSELS EMPLOYED IN FISHING:

1836	1845	1848	1851	1853	1855	1857	1859
10,761	19,883	15,932	14,756	11,079	12,758	11,843	11,191
NUMBER OF HANDS:							
54,119	93,073	70,011	64,612	38,227	53,633	52,231	48,633

"The sea fishery still continues in a languid and depressed state."—(Thom's *Off. Direct.*, 1861; p. 734.—See also *Condition and Prospects of Ireland*, by Jon. Pim; p. 160.)

§ Report of the Commissioners of Fisheries (Ireland) for 1859; Appendix, No. 8, p. 18-23.

|| "Considerable activity appears to have taken place in the cultivation and protection of the Oyster Fishery. The state of the Salmon Fisheries continues to be satisfactory." (Same Report; p. 3 and 4, and foll.; and see Appen. No. 6.)

marked inferiority of the state of the Irish ports in comparison with those of England had long been the subject of frequent complaints on the part of Irish members, and a grievance upon which the national press dwelt with legitimate bitterness. Advances of capital—advantageous contracts—improvements and embellishments—encouragement given to owners—in a word, all kinds of financial and commercial favours,—all seemed to flow one way; just as in certain families justice is sacrificed to too marked personal preferences.\*

The establishment of a transatlantic packet station at Galway had been for ten years the special object of these efforts. Galway, being the nearest commercial port to the American continent, it was and is manifest that to communicate by this port directly with the United States, and to forward by it emigrants, goods and mails,† would be of great advantage to Ireland. A considerable time would be gained by taking ship at Galway, instead of going to Cork to wait for the Liverpool steamers. It was only in 1860 that parliament authorized this new station, and voted the necessary grant. The success, a great one, was chiefly due to the energy of the Rev. Mr. Daly (then parish priest of Galway) in the cause, whom during ten years nothing had been able to discourage.

Great were the rejoicings at Galway, when on the 27th of August, 1860, the members of the local committee engaged in the prosecution of this important affair assembled one last time to congratulate one another on their victory. Two members of parliament assisted at this meeting; Mr. Lever, M.P. for Galway, who had seconded the wishes of his fellow-citizens with great perseverance; and Mr. Roebuck, M.P. for Sheffield, who, with other members of the liberal party had supported vigorously and victoriously the motion of the Irish members.‡

Unforeseen accidents which happened in the course of last year, and the loss by fire of one of the company's finest steamers, (the Connacht), the momentary impossibility in which the com-

\* Speech on the Causes of Discontent in Ireland, by Will. Smith O'Brien; House of Commons, 4th July, 1843, p. 13.—Proceedings of the Corporation of Harbour Commissioners, Galway, 1857.

† In 1859 a steamer of this line carried the Queen's Speech over to America in six days, and brought back on another occasion the President's Message in five days, sixteen and a half hours; (Speech of Mr. Lever, M.P. at Galway, Aug. 27, 1860.)

‡ The subsidy was voted by a majority of 132 votes to 31. Of the 132 ayes 72 were Irish, and 60 English. There was good reason therefore to thank, at the meeting of the 27th August, the English members whose votes had ensured the success of ten years of effort, and without whom the wishes of the majority of Irish members would have remained sterile.

pany found itself of fulfilling its obligations to the state, have nearly ruined in the outset an enterprise which cost so much time and trouble. The subsidy has been withdrawn; and Irish commerce which hoped to reap solid advantages from more rapid and direct communication with America is again obliged to wait until the London Parliament condescends to turn its attention to its enterprises and favour its development.

To sum up this rapid and incomplete sketch of the Industrial and Commercial Resources of Ireland, and view it in connexion with the rest of our studies, we must observe that much still remains to be done for the development of the resources of that country: that a vast and as yet unoccupied field is open to those able and willing to embark capital and spirit of enterprise: and that in the difficulties in which, notwithstanding recent laws, landed property, agricultural labour and the Irish peasantry are entangled, it is much to be desired that Industry and Commerce could afford employment to a greater number of hands. This would in some manner be a counterpoise to the excessive strides of new methods of agriculture, which substitute pasturages for corn crops and reduce the number of farms at a frightful pace. By this means perhaps, and by opening a new future to families driven away from the labour of the fields by eviction and, something approaching to some real chance of a livelihood, the decrease of population evident from statistics would be checked, a decrease arising both from emigration and from the excessive misery of the majority of the Irish people.

In truth, in a country in which excepting the cultivation of land there is scarcely any employment for the mass of the population, and where at the same time that cultivation is carried on under the most disadvantageous conditions, all those who feel conscious of any little energy and who have any means at command will seek afar, at the price of a painful exile, a life less hard, and the chance of bettering their condition by labour: all these will emigrate.

As to those who are, through age and infirmity, condemned to remain in the country,—with all hope of productive labour and profit gone,—they have nothing to look forward to but suffering, and the prolongation of a wretched existence by the slender help of legal charity.

Emigration,—Penury at home,—The life of the pauper in the workhouse,—on these most sad subjects what painful revelations we have yet to make!

## BOOK THE FOURTH.

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# EMIGRATION.

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### CHAPTER I.

#### PLANS OF EMIGRATION.

THE question of Emigration had engaged the attention of economists and statesmen previously to the years 1846 and 1847: it had already indeed been practically solved, and not a year rolled by during which several thousands of Irishmen, weary of a struggle against irremediable misery and interminable oppression, did not make up their minds to bid a last farewell to their dear island, and to seek afar a better lot. The use of steam in navigation, too, had facilitated and largely encouraged the Emigration movement; by shortening distances, bringing the continents nearer together, multiplying communications, and substituting in voyages the measure of time for that of space. In 1815 the sum total of Emigrants from the United Kingdom was but 2,081: in 1852 the number was 176 times greater, viz., 368,764.\*

This wonderful progress in the means of transport, and the increase of the merchant navy during a general peace, admitted of a trial of Emigration as a remedy for or at least a palliative of Ireland's misfortunes.

Already as early as the year 1835, a Parliamentary Commission stated that in Ireland there were two millions three hundred and eighty thousand persons liable to die of hunger.† As the country was periodically visited by cruel scarcity, it was but natural to inquire whether a service would not be rendered to Ireland by a multiplication of the means of Emigration, and by putting this movement under the patronage

\* Twenty-first Gen. Report of the Emigration Commissioners; 1861; Appendix No. 1, p. 45.

† Poor Law Commiss. 1835; (Quoted by M. De Beaumont, vol. I. p. 221.)

of the government itself. At first sight, nothing seemed easier than the realization of such a project: but reflexion and experience very quickly brought to light the difficulties attendant upon it.

In fact, during the fifteen years which preceded the famine Ireland alone figured in the sum total of Emigrants for more than eight hundred thousand.\* Her population however continued to increase, on account of the excess of births over the number of deaths and departures from the country; and during the very year which since 1815 had been marked by the greatest number of emigrants, (1841), the Official Census stated that the population of Ireland had reached a figure never before attained, (but which has since so terribly fallen,) namely 8,175,124.

This result, which seemed to testify to the inefficiency of the Emigration system, would have surprised people more had it not been foreseen long beforehand: far from contradicting the calculations of science, often merely hypothetical, it confirmed in a surprising manner the conclusions arrived at by many economists, after a detailed study of the emigration question, and an attempt to find out whether or not it was the real cure for the social miseries of Ireland.

It will not be useless to sum up these conclusions, and to show their sagacity and depth as evidenced in events which have so fully justified them.

The celebrated French publicist who was the first to present us with a complete picture of the condition of Ireland, examining in 1839, how emigration might or might not do away with all the misery he had witnessed, proposed to himself the following questions:†

I. To what extent ought Emigration to be carried, in order to bring about a material change in the general state of Ireland?

II. Would it be possible to carry it out to the required extent?

III. Supposing it practicable, would it be a radical and final solution of existing difficulties?

The advocates of Emigration answered the first question by estimating at a minimum‡ of two millions the number of indi-

\* The precise figure is 809,244; making an amount average of 53,949; (Thom's *Off. Direct.* 1852, p. 188). The figure for the United Kingdom during the same period is 1,171,485.

† M. De Beaumont; (vol. II. p. 104-122.) Mr. Jonathan Pim examines, and resolves in the same way, the same questions, in his fine and important work already frequently referred to: *The Condition and Prospects of Ireland*; (ch. x., p. 163-170.)

‡ Some go as far as four millions.

viduals who would have to leave Ireland, at one time, in order to produce there that kind of vacuum which would improve the conditions of labour and of the existence of the rest of the agricultural population.

Upon these data, the solution of the second question was easy. It was by no means difficult to prove that the system was impracticable on so vast a scale: impracticable on account of the insufficiency of the means of transport at disposal; impracticable on account of the enormous sum required to carry it into effect.

In fact, supposing each emigrant ship to carry a thousand passengers (a very large figure), two thousand vessels would be required to attain the end in view; namely the sudden and universal emigration of the whole so-called "surplus population." That is to say, that the whole merchant navy of Great Britain would have to be drawn off from the commerce of the world and chartered for the execution of this very chimerical plan. Where was the sum required for the most necessary expenses and urgent wants of two millions of passengers to be got? And what country in the world would have submitted to a monster invasion, like those of barbarous times? Unless, indeed, these two millions of individuals were beforehand coldly devoted to death by hunger—was there a single country in which it could be hoped they would immediately find work or the means of subsistence?

Supposing, however, all these impossibilities practicable, there comes a third question, the most embarrassing of all. Was it quite certain that the system of renting land and that of cultivation always remaining the same Emigration would suffice to cure those inveterate sores, and to effect in conformity to the wishes of its partisans a social transformation?

Upon this point M. De Beaumont showed, in a manner admitting of no reply, that the emigration of a third or even of half the population would not radically do away with the misery of the country. The difficulty is not, in fact, for Ireland to produce wherewith to feed her population. No such difficulty exists. This we think we have proved abundantly already. The difficulty lies in the manner in which landed property is managed, a system which no amount of emigration can possibly modify: for "if one of the first principles of the landlord be that the farmer should gain by tilling no more than is strictly necessary to support him; if, in addition, this principle be as a general rule rigidly followed out, and all economical means of living resorted to by the farmer necessarily induce a rise in the rent;—what, upon this supposition (of the sad reality of which every one knowing Ireland is

perfectly aware), can be the consequence of a decrease of population?"\*

Always obliged to live as sparingly as possible to escape a rise in the rent, and forced to undergo daily privations in order to meet his engagements, in what manner is the Irish farmer to gain by the departure of his neighbour? "Thus, after millions of Irishmen have disappeared, the fate of the population which remains is in nowise changed; it will for ever be equally wretched. From what precedes, it is easy to understand how, a century ago, with but a third of her present population, Ireland was quite as poverty-stricken as she is to-day, subject then as now to the same causes of misery, independently of her numbers."†

Then looking upon the past, making a sad enumeration of Ireland's losses in population during the last three centuries, and evoking from these figures the accents of a moving eloquence, the illustrious publicist asked himself: how far so much bloodshed,—such armies of individuals stricken down by death or hurried out of the country by emigration,—so many families extinct,—had contributed to restore and to save Ireland:

"Open," he says, "the annals of Ireland, and see the small amount of influence which all those violent enterprises and all those extraordinary accidental causes of depopulation have had upon the social and political state of the country. Calculate the number of souls that perished in Ireland during the religious wars:—count the thousands of Irishmen that fell under the sword of Cromwell:—to all that the victor massacred in Ireland, add the myriads that he transported:—think of the hundreds of thousands who sunk under famine, the number of whom exceeded in one year (1740) forty thousand:—do not forget the thousands carried off by the plague and national wars:—take into account those who died of sickness and misery:—do not overlook the (formerly) considerable number who yearly died by the hand of the executioner:—in fine, to this add the twenty-five or thirty thousand individuals who emigrate from the country every year:—and when having laid down these facts, you look for their consequences,—when in the midst of these different crises you see Ireland always and at all times the same, always equally wretched,—always crammed with paupers, ever bearing about with her the same hideous and deep wounds, *you will then recognise that the miseries of Ireland do not arise from the number of her inhabitants*; you will conclude that it is in the

\* M. De Beaumont, II. 108.

† *Id.*, *Ib.*; II. p. 109.



nature of *her social condition* to generate unmitigated indigence and infinite distress; that supposing millions of poor swept out of Ireland by a stroke of magic, others would be seen rising up in abundance out of a well-spring of misery which in Ireland is never dried up; and *that thus the fault does not lie in the number of her population, but in the institutions in force in the country.*"\*

It was in view of these sad lessons of the past that the truest and most enlightened friends of Ireland advised the English government to devote to vast enterprises of reclamation and cultivation of land the sums deemed necessary for the transport of Emigrants.

The Devon Commission estimated that the yearly Emigration of one hundred thousand individuals at the expense of government, at the modest figure of £6 per emigrant (*i.e.* £600,000), would amount to a sum which devoted yearly to the purchase and reclamation of waste land would undoubtedly allow the Irish to live at home, and would put an end to the alternative of exile or death.†

As frequently happens in the affairs of this world, theoretic schemes and abstract theories in contact with the force of facts and the clash of circumstances have undergone shocks so rude as to produce in them considerable modification. That wholesale Emigration, in which it was hoped an heroic remedy for the misfortunes of Ireland was to be found, has not been and could scarcely be realized: but during the last fifteen years especially, before a famine which had to be fed at any cost, before ever recurring social difficulties, partial Emigration, encouraged by government, by landlords, and particularly at the present moment by emigrants who have laid by money, has attained very considerable yearly proportions.

\* M. de Beaumont; II., p. 121.

† Jonathan Pim; *Cond. and Prosp. of Ireland*; (p. 171.)—*Digest of Evidence*; (p. 568.)

## CHAPTER II.

## STATISTICS OF THE EXODUS.

THE Official Reports published by the Emigration Commissioners are like the Book of Numbers of this new Exodus.\*

In the first place comes the general Emigration from the United Kingdom. In forty-five years, from 1815 to 1860, inclusive, it reached a total of 5,046,067 emigrants.

These forty-five years are divided into different periods.

From 1815 to the 31st December 1846, the number of Emigrants amounted to 1,672,156; which gives a yearly average of 52,254. During four years alone, (1832, 1841, 1842, and 1846,) the number exceeded 100,000.

In 1847 the number of Emigrants suddenly became double what it had been in 1846; from 129,851 it reached the number of 258,270; and with the exception of 1848, each year to 1852 saw the number of Emigrants increase. During the year 1852 Emigration reached as it were its maximum, since it then attained the prodigious figure of 368,764; which would give an average of over a thousand emigrants daily from one of the ports of the United Kingdom. The average declined slightly during the following years, still keeping however above 300,000; so that from the 1st of January 1847 to the 31st of December 1854, the total number of emigrants from England, Scotland, and Ireland amounted to 2,444,802; or 305,600 yearly.

This number diminished very considerably during the years 1855 and 1856; and the Emigration Commissioners give very plausible reasons for the decrease: the Crimean and Indian Campaigns had on the one hand necessitated enlistment on a large scale in the army and navy; and on the other hand the commercial and industrial crises in the United States had seriously affected the labour market.† In 1857 Emigration

\* *General Reports of the Emigration Commissioners.* (In the Appendix the complete Emigration statistics of the United Kingdom for the last forty-five years will be found) (1815-1860.)

† “The inducement to Emigration ceased therefore on the other side of the Atlantic, at the same time that the inducement to remain became strongest on this.”—(20th *General Report*; p. 14.)

again reached a figure above 200,000, but immediately fell in 1858 to 113,972.

For the last three years, although but slightly, the movement has been gaining ground. From 113,972, in 1858 the number of emigrants rose in 1859 to 120,432; and in 1860 to 128,469.\*

The number contributed by Ireland to this amount is well known. During the last thirty years (1831—1861), of the total number of emigrants, (4,645,247,) she figures for three-fourths (about 3,097,415.)†

This frightful proportion has considerably decreased since 1852. In the year 1860 the Irish Emigrants form but half the total amount.‡

But in order to obtain a clear notion of the exact proportions of the Emigration, it is necessary to compare these figures with those of the population; it will then be seen that Ireland pays by far the largest share of this annual tribute.

In fact, upon a total population of 23,123,054 § inhabitants, England Wales and Scotland furnished only 35,154 emigrants, or one for every 657 inhabitants; whilst Ireland furnishes 60,835 emigrants upon a population of 5,764,543 souls, or one for every 84 inhabitants. That is to say that Emigration from Ireland is nearly eight times as great as that from all the rest of the United Kingdom.¶ This proportion would be still greater were the precise number of Irishmen known who emigrate not to America or Australia only, but to the manufacturing towns of England and Scotland.¶

These figures sufficiently explain why, as in the time of Moses, the word *Exodus* has being applied to the Emigration movement. It is truly a whole nation which has started up

\* Everybody anticipates a considerable reduction in the numbers for 1861, on account of the War between the Northern and Southern States.

† Thom's *Official Directory*; 1852, p. 188, 189,—*Ib.* 1861, p. 697;—21st *General Report*, Appendix, No. 6.

‡ We subjoin the precise figures :—(21st *General Report*; 1861, p. 54.)

English,	.	.	.	.	26,421
Scotch,	.	.	.	.	8,733
Foreigners,	.	.	.	.	4,536
Without distinction of Nationality,	.	.	.	.	27,944
Irish,	.	.	.	.	60,835

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128,469

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§ We quote the figures of the last Census (1861). (Thom's *Official Directory*; 1862; p. 75 and 79.)

¶ The exact proportion is  $\frac{794}{100}$

¶ This observation is confirmed by the statistics of Thom's large *Official Almanac* for 1861. He estimates at 62,185 the number of Irish Emigrants for the first eight months of 1860. (Thom's *Official Directory*, 1861, p. 697.)

at the sight of the threatening spectre of famine, and which to escape it has left whatever it loved most in this world, after the treasure of its faith,—namely family and fatherland.

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## CHAPTER III.

### PECUNIARY RESOURCES OF THE EMIGRATION.

THE Emigration movement has been favoured and encouraged in divers ways : funds allotted by government; aid given by Poor Law Unions; in certain cases money given by landlords to families whom the land could no longer support, or who were obliged to quit their holdings in consequence of farm consolidation, to pay their passage to America; in fine, especially of late years, the earnings of emigrants sent over to their families or friends, in order to give them an opportunity of joining them and of trying fortune;—such have been the resources which have met the enormous expenses necessitated by the removal of such vast numbers of men.

The pecuniary aid given by landlords to the Emigration movement cannot be exactly ascertained. It has been confined to the limits of private charity, and occupies but a secondary place in the immense budget of Emigration.

It is especially Emigration to Australia that the government has encouraged by devoting to that purpose the resources of the Treasury. In 1861 it furnished 6,409 Emigrants, out of 18,577, with the means of settling down in the South Sea Colonies.\* In twenty-seven months, also, (from Jan. 1st, 1859, to March 31st, 1861), it sent to the Cape 5,465 emigrants, besides 365 to Natal.

As early as 1848 the Unions† were invited by government to co-operate in concert with it in the Emigration movement, by providing the poor who would consent to emigrate with the modest wardrobe required by the emigration agencies, and with the means of reaching the English ports in order to embark upon the ships which were to give them a free passage. Government were especially desirous that young female orphans should be sent out there, in order to remedy as far as

\* 21st *Gen. Rep.* p. 13 ; and Appendices, 8, 9, 10, 11, 12.

† The administrative divisions under the Poor Law, so called. At present Ireland is divided into 163 Unions.— We shall return to this mechanism in Book VI. where we shall treat of the organisation of Legal Relief for the Poor.

possible the lamentable disproportion existing between emigrants of the two sexes. From 1847 to 1859, inclusive, the Unions contributed about £100,000 to the expenses of Emigration, and thus provided a passage for 25,000 individuals.\*

But neither the government grants nor the help given by the unions bear any comparison with the resources which Emigration has created for itself by the industry and toil of those already gone. The amount annually sent to Ireland by the American and Australian Emigrants is absolutely enormous: it affords us a high idea of the generosity of the people, and of family affection amongst them. What a misfortune, however, that the immediate consequence of the prosperity of emigrants should be but to contribute more largely to the depopulation of Ireland, and to deprive her of her sturdiest labourers!

In the single year 1860, from America alone, the emigrants sent over to their families and their friends the sum of £576,932; and adding the remittances sent from Australia, we may estimate the gross total at £1,000,000.†

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## CHAPTER IV.

### COUNTRIES EMIGRATED TO.

THE countries for which the emigrants make are the English colonies in America, Africa and Oceanica, and more especially the United States. Since 1839, a change has taken place in the direction taken by emigrants, which is worthy of mention.

For a long time Australia received but a small number of colonists. The presence of the convicts at Sidney and Botany-Bay was not calculated to gather round those centres of crime and corruption families which sought only in emigration a means of gaining an honest livelihood. It was only when the work of English colonization spread over that immense

\* These calculations we have made by the help of the Blue Books concerning the Poor Law administration in Ireland. We should observe that in the two last reports, (1860 and 1861), no mention is made of help allotted to Emigrants.

† Thanks to reports from American bankers, the Emigration Commissioners are enabled to state the exact amount of these remittances, but from North America only. The total during the last thirteen years (1848-1860) amounts to £11,674,596. These figures are given, it is true, for the emigrants of the three kingdoms; but as the Irish are by far the majority, so also do they send the greater part of the money. (For details see Thom's *Off. Direct.* 1862; p. 80).

continent, and vast provinces were thrown open to the spirit of enterprise, that the tide of emigration ran in that direction. Still the Australian emigrants only make up a fifth of the total number for the year 1860; (24,302 out of 128,469).

The other English colonies, (Cape of Good Hope, Natal, Guiana, Labuan, Ceylon, Hong-Kong, Kooria-Mooria,) received during the same year but 6,881 emigrants.\* The mass of emigrants went to America; a fact sufficiently explained by the shortness, the facility, and the economical conditions of the voyage.

Only:—previously to the year 1839 more than half the emigrants to America made for Canada.† During the ten following years the proportions suddenly changed. Of 1,340,496 persons who set out for America between the years 1839 and 1849, only 428,376 made for Canada: the other 912,120 found an asylum in the United States. We have moreover to observe that numbers of emigrants disembarked at Canada only to pass through and increase the number of those who had gone directly to the United States.‡

This disproportion is owing to two causes. So long as Emigration was comparatively inconsiderable, Canada was able to offer to the emigrants work, and the means of subsistence. As soon as, from the year 1847, Emigration suddenly became double what it was in former years, the English colonies were overcrowded; work became consequently slack; a certain number were obliged to turn southwards; and the emigrants of subsequent years were advised to make directly for the States of the Republic.

Besides this economical cause the English Commissioners were sagacious and honest enough to allude to another, of a completely different nature, which according to them worked chiefly among Irish emigrants.§ Canada to them is but a second England; consequently there still exist there, although weakened by distance and modified by the influence of the French occupation, memories and traditions of oppression and conquest. In Quebec as in Derry, in Montreal as in Belfast, there are frantic orangemen to whom the Catholic is a wild idolater with whom it is impossible either to reason or to effect

\* 21st *Gen. Report*; App. No. 6.

† Thom's *Off. Direct.* 1852; p. 189: "In the ten years ending with 1839, inclusive, of 613,258 persons who emigrated to North America, there went to the British colonies 320,766, to the United States 292,492."

‡ In 1850 of 32,648 Emigrants landed at Canada, 13,723 pushed on immediately for the United States. (Thom's *Off. Direct.* 1852; p. 189.)

§ . . . "Independently of any political feeling which may have directed the Irish rather to the United States than to the British dominions."—(*Twentieth Gen. Rep. of the Emigr. Commissioners*, 1861; p. 24.)

any compromise, and who ought never to have been invested with any political rights; and if the Prince of Wales himself, the heir presumptive to the crown of England, was not spared the insulting demonstrations and brutal provocation of Canadian Orangeism,\* we can easily understand why the Catholics of Ireland are not eager to seek in New-Brunswick and on the banks of the St. Laurence a life of but the same deadly affronts which are still hurled against them by the lodges of Ulster; we can understand why not being able at home to rally around the green banner of Erin, they prefer to the leopard of Britain the star-spangled banner of the American Republic.†

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## CHAPTER V.

### GOVERNMENT CONTROL OVER TRANSPORT OF EMIGRANTS.

IF the funds allotted by government make but an inconsiderable figure in the general budget of Emigration, on the other hand its care and its control extend over the whole of the operations necessary for the removal of all these numbers of people. The emigrant ships are nearly all under the direction of an official agency, even when not chartered by it; and even the ships belonging to private enterprise are subject to certain laws as regards the transport of Emigrants.

In 1857, for the transport of 220,695 persons,‡ 645 ships were employed, of which only 39 were independent of the Emigration agency; 79 were directly chartered by it; and 535 chartered by owners, under the direction of the agency.§

In 1858, for 118,606 Emigrants the number of vessels chartered by the agency equals that of the free ships (48 and 48).

\* See the accounts and correspondence relative to the tour of the Prince of Wales, in the English, Irish, and American papers of the summer and autumn of 1860.

† So, when, in the month of December 1861, the "Trent" affair threatened to arm England against the United States, a great Meeting held at Dublin, with a Member of Parliament in the chair, openly expressed the liveliest sympathy for the cause of North America. Had war broken out it is impossible to doubt but that England would have been much embarrassed by the attitude of Ireland. Besides the fact of three-fourths of the English army being composed of Irishmen, it would have been a kind of fratricidal war for the latter country; since there are about four millions of Irishmen settled in America, and a large number of them are serving under the federal flag.

‡ This figure is slightly above that given in the general table quoted in the Appendix, because besides the Emigrants it comprises the crews, troops, and ordinary passengers.

§ *Eighteenth Gen. Rep.*; p. 105; App. No. 23.

Four hundred were chartered by owners under the control of the Emigration Agents.\*

In 1859, 440 vessels were employed in carrying 120,949 Emigrants. With the exception of eighteen, all were under the immediate control of the Emigration Commissioners.†

In fine, in 1860 private enterprise in this matter was almost insignificant, and counted only five ships out of a total of 392; 23 were chartered by the agency; the other 354 were under its control.

Humanity has reason to be glad that government control in Emigration matters has yearly become more immediate and more serious. As long as Emigration was simply in the hands of private speculators, the unfortunate emigrants, handed over to the selfish cupidity of owners, were huddled together "between decks," without any regard for health. It was a kind of white slave-trade; with this difference, that the slaver was interested in losing as few as possible of his living cargo, whilst in the transport of emigrants death only lightened the vessel and was no loss to the ship-owner. At this epoch, consequently, the number of those who perished during the voyage or immediately upon their arrival, from diseases contracted during the run, was a wide and bloody wound inflicted upon the heart of families already so severely tried by separation.‡

In 1849 an Act of Parliament, entitled the "*Passengers Act*," laid down the conditions to be complied with by vessels employed in the transport of Emigrants.

This law, renewed and amended in 1855, submits outward-bound vessels to a previous inspection;§ as well as the provisions and medicines with which they must be provided;|| the quantity and quality of fresh water on board;¶ and the accommodation of the cabins and the "'tween decks."\*\*\* The emigrants themselves have to undergo an examination as to the state of their health and the condition of their wardrobe.†† Lastly, the same law prescribes the space allotted to each passenger, whether on deck‡‡ or between decks; which necessarily proportions the number of passengers to the size of the vessel, and prevents that

\* *Nineteenth Gen. Rep.*; p. 111; App. No. 26.

† Ships chartered by the Emigration Commissioners . . . . . 52

Ships dispatched from ports under the superintendence of Government Emigration Officers . . . . . 370

Ships dispatched from ports not under the superintendence of Government Emigration Commissioners . . . . . 18

—(*Twentieth Gen. Rep.*; p. 121; App. No. 32.)

‡ An American Economist, (H. Carey of Philadelphia,) gives us harrowing details upon this point; (*The Past, the Present, and the Future*; p. 391.)

§ *Pass. Act Amend.*: Clause 19. || Cl. 31, 43, 44. ¶ Cl. 31, 33, 34. \*\*\* Cl. 21.

†† Cl. 11;—and 18th *Gen. Rep. of Emig. Com.*, p. 113.

‡‡ Cl. 14, 20, 22-26.



criminal overcrowding of vessels formerly attended with such fatal consequences to the emigrant. A penalty ranging from a fine to transportation enforces the provisions of this law; and in their yearly Report, the Emigration Commissioners state the number of cases in which the Passengers Act has been violated, the nature of the offence, and the penalty awarded.\*

Of course this law, the provisions of which are so well-deserving of praise, is not able to prevent or repress all abuses. The Commissioners themselves state each year the impossibility of reaching or dealing with all culprits in this matter.

Sometimes a ship before the inspection made by the Emigration Agents will provide itself with everything required by law for a long voyage; but a portion of the objects destined to meet the wants of the emigrant are only borrowed for the inspection. The agents gone, they are put on shore; and the emigrants will during the whole of the voyage have to undergo privations even to an extent prejudicial to their health.†

At other times it is an infringement of the law with regard to the number of passengers on board, (a number fixed by the law according to the size of the vessel.)‡ Sometimes the food is not regularly served out, or the water-service badly attended to;§ at others the captains of emigrant ships have sold the passengers forged tickets for the American railways or steamers, which were perfectly useless to the unfortunate emigrants on landing.||

These are however abuses which the best and wisest of laws are powerless to prevent. Parliament deserves praise for having reduced them to the state of exceptions, which hide themselves, and which are punished. The undoubted effect of the "Passengers Act" has been to better progressively the sanitary conditions in which voyages are made by emigrants, and by an immediate consequence to diminish in a notable degree the amount of mortality.

\* "Prosecutions instituted for violations of Passengers Act." (In the Appendix to the French edition the most important clauses of this Act are given, translated, at full length.)

† "It is said that in the case of American ships sailing from Liverpool, it is a common practice to hire a crew to pass the Emigration Officer, and to reland a portion as soon as the inspection is over."—(18th Gen. Rep., p. 24.) A "common practice!"—it is sad indeed to see the flag of the American Republic employed to abet abuses so dishonouring to humanity.

‡ In 1857 the *Anne Wilson*, upon her arrival at New Zealand, was found to have fifty-seven passengers too many. The Captain was sentenced to a fine of £1,140.

§ Same case. (The sum total of the fine incurred by the *Anne Wilson* was £1,860.—18th Gen. Rep., p. 28.)

|| 19th Gen. Rep. p. 18.

Of the emigrants to North America the per centage of deaths was as follows:—

In 1854	.	0·74	per cent.
„ 1855	.	0·33	„
„ 1856	.	0·22	„
„ 1857	.	0·36	„
„ 1858	.	0·19	„
„ 1859	.	0·18	„
„ 1860	.	0·15	„

The proportionate number of deaths is greatest among the Australian emigrants. Official statistics estimate it at 0·50 per cent.; which is explained by the length of the voyage and the larger number of children who are taken out.\*

The sanitary conditions of these voyages have been materially improved. Originating in the enlightened and firm action of the government, this progress is owing in great measure to the zeal with which the medical gentlemen entrusted with the health and well-being of the emigrants during the voyage look to the performance of these provisions.†

We have reason to believe that in point of morality there has been an analogous and still more consoling progress in these long voyages. In the last reports of the Emigration Commission it is only the German vessels, leaving Bremen and Hamburg, which are pointed out as criminally negligent of those rules and that watchfulness without which the most lamentable disorders arise.‡

Can it therefore be said that Irish families, whose youngest and most inexperienced members usually exile themselves, enjoy that full security and those moral guarantees which Christian consciences demand above all things? In those tears shed at the leave-taking, is the heart of the mother burthened with nothing more than the grief natural at parting? It is indeed hard enough to see her darling boy or her beloved daughter leave her for a long long time, perhaps for ever,—courageous exiles, who are going to America in order to be able to help their aged parents;—but is there not mingled with that grief and that agony a vague terror, and a presentiment of perils more formidable than the tempest or the hazards of an unknown future?

The fact is, that poor as they are these emigrants carry out

\* 24th *Gen. Rep.*, p. 13; and Appendix, No. 32, (p. 100.)

† As to the organization of the medical service,—see *Passengers Act*, clauses 41-45.

‡ “... That in ships sailing from German ports there is no separation of sexes, and that gross immorality in consequence prevails.”—(19th *Gen. Rep.*; p. 21.)

with them the double and inestimable treasure of a faith tempered by persecution, and a virtue hitherto sheltered in safety under the paternal roof; but they bear these treasures about, as the Apostle says, in vessels of clay,\* and through what changes of fortune,—Great God!—through what dangers will they not have to be borne to the extremities of the world? What strength of soul, what perseverance, what truly super-human courage will not be necessary to save them amidst so many perils, to preserve them from so many enemies, to keep them intact, and to prevent them from ruin from the multiplied shocks of a life of travel and adventure?

In addition to these sombre thoughts inspired by the dangers which threaten immortal souls, these Christian parents who have handed down to their children the sacred deposit of the faith, and the heroic virtues of which it is the groundwork, feel all the weight of a sadness in which flesh and blood have a smaller part than the eternal interests of God and conscience. They weep over those who are leaving them, not only because, according to the touching expression of the prophet† “they will not return, and will see no more the land of their birth,” but because they fear for the life that is to come a separation far otherwise terrible than the separations of this earth.

Here considerations of a totally different nature from the preceding present themselves to us. Hitherto we have endeavoured to gather from official documents and statistics an exact idea of the Emigration movement. The figures we have consulted have told us what they could; but they necessarily stop at the surface of the question, and throw light on but the smallest portion of it. The moralist, especially the Christian moralist, sees a vaster horizon before him; new and graver problems form the theme of his meditations.

What are the consequences of this Emigration? What becomes of those millions of men who expatriate themselves? What part is allotted in the designs of God to those pilgrims whom steam so quickly carries to the ends of the earth, and who set out, axe in hand, to reclaim the savannahs of America and the wilds of Australia? What will be the result of this extraordinary egress of her race and her creed to Ireland who is suffering it, to England who encourages it, and to the nations who open their doors to these armies of fugitives?

Upon all this parliamentary Blue-Books are silent. In order to solve these questions we must have recourse to other authorities.

\* “Habemus thesaurum istum in vasis fictilibus.”—(2 Cor. iv. 7.)

† “Plangite eum qui egreditur, qui non revertetur ultra, nec videbit terram nativitatis suæ.”—(Jerem. xxii. 10.)

## CHAPTER VI.

## THE DEPARTURE OF THE EMIGRANTS.

IN how many an Irish cabin as each week brings round the day of departure do not scenes of quite a patriarchal character take place, scenes whose affecting details would seem to be borrowed from Holy Writ itself! Whilst brothers and sisters are busied about the little wardrobe of the emigrant—and are packing up with his threadbare clothing in the modest stout little wooden trunk a tuft of the village sward rich in shamrocks, in order that the poor colonist may have a souvenir of the “Emerald Isle” near his hut in America,\*—the father and mother are giving to the child about to leave them counsels inspired by their faith their experience and their affection. One would imagine he was listening to the aged Tobias† blessing his well-loved son, and giving him his last instructions before handing him over to the care of his angel guide.

“My dear child, all the days of thy life have God in thy mind; and take heed thou never consent to sin, nor transgress the commandments of the Lord our God.

“According to thy ability be merciful.

“If thou have much, give abundantly; if thou have little, take care even so to bestow willingly a little.

“For thus thou storest up to thyself a good reward for the day of necessity.

“For alms deliver from all sin, and from death, and will not suffer the soul to go into darkness.

“Take heed to keep thyself, my son, from all fornication.

“Never suffer pride to reign in thy mind, or in thy words; for from it all perdition took its beginning.

“If any man hath done any work for thee, immediately pay him his hire, and let not the wages of thy hired servant stay with thee at all.

“See thou never do to another what thou wouldst hate to have done to thee by another.

“Seek counsel always of a wise man.

\* Mgr. the Bishop of Orleans.—*La Souveraineté Pontificale*, c. xx.; Rodenberg (German author).—*The Island of Saints*; p. 322, (London 1861.)

† Tobias, ch. iv. v.

"Bless God at all times; desire of him to direct thy ways, and that all thy counsels may abide in him.

"Fear not, my son; we lead indeed a poor life; but we shall have many good things if we fear God, and depart from all sin, and do that which is good.

"May you have a good journey, and God be with you in your way, and his angel accompany you!"

If the family is not at too great a distance from the port, it accompanies to it those about to leave, in order to watch over these well-loved beings till the last moment and to put off as long as possible the dreaded farewell.\*

The reader will pardon us for relating here a few facts which came under our own personal observation. It is not easy to forget such touching scenes, in which is to be found so admirable a compound of simplicity and grandeur.

We happened to be at Cork during the month of August 1860, on the very day when the large steamer *City of Washington*, which had left Liverpool the previous evening, was expected, and which was to call at Queenstown (Cove), on its

\* On the 18th of January, 1862, a very touching farewell scene took place at Dublin. One hundred and forty-six victims of the Derryveagh evictions, of which we have already spoken (*ante*, page 195, *et seq.*) were going to embark for Plymouth, on their way to Sidney in Australia. A young priest of the diocese of Raphoe whose zeal and devotedness are indefatigable, (the Rev. James MacFadden, curate of the parish of Falcarragh,) accompanied them as far as Dublin. The emigrants were received on their arrival by several generous citizens who had made every preparation for the last meal the exiles were to take in their native land. At the end of dinner the Rev. James MacFadden, with a voice choked by emotion and in the midst of a deep silence, made an exhortation to the emigrants in their dear Celtic language. He reminded them that in a few hours they were to leave Ireland for ever; he recalled to their memory the peaceful days they had passed among the rugged mountains of Donegal, in the fulfilment of their daily duties, far from the dangers and snares of the world, but in the engagement of those consolations which the Catholic faith abundantly imparts, the Mass which they attended so regularly on the Sunday, and the sacraments which they frequented. He then excited their gratitude to those who had bid them so hearty a welcome. "And now my dear brethern," he said in concluding, "we are about to part. Before leaving Ireland, promise me that above all that you will be faithful to God, and that in whatever circumstances you may be placed you will faithfully fulfil your religious duties," (sobs and repeated cries of we promise! we promise!). "Say your morning and evening prayers regularly, and never forget to go to Holy Communion, at least at Christmas and Easter." (Immense emotion and cries of never! never! God knows it!). "Young people, never forget the old folks you are leaving behind you; they will count the days, you know it well, until they get news from you. They will pray to God for you, and we will all pray with you."

A few minutes later, the bell of the steamer *Lady Eglinton* was heard; at half-past ten at night the emigrants were upon the open sea.

The week following a similar scene took place at Cork. A body of four hundred emigrants under the direction of a priest, on their way to the diocese of Brisbane, (Queensland, Australia), left on the evening of the 27th, in the steamer *Erin go bragh*.

way to New York, to complete its number of emigrants. During the preceding day the latter had been seen coming, in little bands, with carts carrying their wooden trunks. The greater part of them were young men and women in all the vigour of youth.\* A few old men, but in very small numbers, formed part of the procession. They informed me that they were on their way to join their children already settled in America; the latter having sent them the money necessary for the voyage.

On the morning of Thursday, 30th of August, we had just celebrated Mass at the convent church of the Dominicans, situated upon one of the quays. We had remarked a considerable press of the faithful around the confessionals, and at the Holy Table. The prior of the convent whom we questioned upon this point told us that every Thursday morning, (the Liverpool and New York steamers run weekly), the same case occurred. "They are," he said, "emigrants who are going to embark during the day, and who before doing so desire to receive together with the forgiveness of their faults the heavenly nourishment, the true bread of the pilgrim. There are very few who do not consider this preparation of their soul indispensable, and who do not seal by this confession and communion the promise made by them to their parents and to God to remain staunch to their church and their creed."

The departure was to take place at Cove (Queenstown) during the afternoon. We hastened down the river on board one of the omnibus-steamers which run continually from the town to the port. Stragglers were from time to time seen upon the quays, easily recognisable by their rustic attire, and the effects which they were taking with them. They were hurrying to the office of the Emigration agency in order to undergo the examination without having passed which no emigrant is allowed to embark. When we arrived at Queenstown this examination was over: the trunks, which had been opened and inspected in order to verify the presence of the required amount of apparel, had been closed again, and were awaiting the *City of Washington's* signal. We walked through these groups of emigrants in the company of a worthy priest of Cork, to whose kindness and charity we are already indebted for much valuable information.† We asked some what induced them to go to America; others what resources they expected to find on their arrival; others again whether they were going to join their relations and friends, or whether they were going without

\* "The bone and sinew of the country." (Dublin papers, April 1860.)

† The Rev. Augustine Maguire, brother of the member of Parliament, and P. P. of the parish of SS. Peter and Paul, Cork.

aid and without resources to try their fortune in an absolutely uncertain future? All replied, with that deferential and cordial politeness which a priest is always sure to meet among Irishmen: and on the greater part of those faces was stamped that quiet and resigned sadness which proclaims the struggle of nature and the consoling influence of faith.

More than one, doubtless, was deceived upon the chances of work and fortune which induced him to expatriate himself. The mate of an English vessel, which runs between Europe and New York and Boston, told us how often he had witnessed the sad spectacle presented by the streets of those great cities on the day of the arrival of the emigrant ships. In fact many of them have started without exactly knowing how or where they were to get work. They wander about the streets and along the quays of the American ports spending in a few days the little horde they have brought from Europe, and already half overcome by downheartedness and ennui are exposed to the most perfidious snares.\*

After we had thus examined the interior of the emigration agency's *docks*, we chatted for a short time with an old sailor employed upon the premises, and obliged weekly to witness these sad departures. In a short time we got near a group exclusively composed of emigrants in the prime of life, among whom two or three young women, who seemed to be sisters, were leaning on each other's arms, awaiting in silence the signal for departure. Our old companion then said with an accent of intense grief which made a profound impression upon us: "What a pity to see an entire people flying from its home! See, there is the flower of our youth! ah! all this evil will not come to an end until we get the French over to deliver us!"†

At last the sound of the cannon reached us: the Liverpool steamer had entered the port of Queenstown. In case any emigrants were still in the town, lingering perhaps in the Catholic chapel, and recommending themselves to the "Star of the Sea,"

\* The same is the case at Melbourne.—The following is an extract from a Report of the Saint Patrick Society, established in Australia for the last seventeen years: "Most of the Irish emigrants, not knowing any avenue for their labours, linger in Melbourne till their scanty means are exhausted, and then they have no alternative but a career of sorrow and of shame; strong healthy young men, strolling listlessly through the streets,—fair and innocent young girls, sitting in the labour mart during the long, long day."

† We confine ourselves simply to repeat the expression, without in any way pretending that the old sailor was right in his idea that a French invasion was the only remedy for the evils of his country. It is however beyond a doubt that this is the popular feeling and the popular hope. We heard the same hope very frequently expressed both by peasantry and towns people. Even writers most favourable to the English government unanimously attest the existence of this universal disaffection.

the gun warns them that it is time to make for the port without delay. The Liverpool steamer simply makes a call at Queens-town: the emigrants once on board the steam is put on, the steersman stands to his helm, the captain has given the signal from the gangway: the emigrants crowd the deck; on their lips there is a silent prayer, their hearts overflowing with emotion look through tearful eyes a last look upon their beloved Erin!\* Soon nothing is seen on the horizon but the thin streak of steam from the ship, which the evening breeze soon disperses; night falls, and each one goes his way, his eyes full of tears, and his soul moved to its very depths.

Every week the same scenes occur; not only in the port of Cork, but at Galway, at Limerick, at Londonderry,—without mentioning English ports such as Liverpool and Plymouth, at which the Australian emigrants usually embark. In vain does one endeavour to persuade oneself of the truth of that thesis maintained by a certain school, “that Emigration is a necessary remedy; that it will relieve the country of a fatal surplus; and that with less labourers work will be more abundant and pay better;” one finds it impossible to believe that Ireland like a plethoric patient requires only to be largely bled in order to recover her health and strength! In spite of oneself, and at the risk of being accused of mere absurd sentimentalism, one rises up against the terrible conclusions of that political

\* We find in one of Mr. Cobden’s speeches an admirably eloquent page upon the departure of the emigrants. It will add the authority of a great name to the feelings we have endeavoured to express. “This question,” said he, (in Drury-lane Theatre, 30th March, 1843,) “has moral aspects which it is your duty to examine. It has been said that of all created beings Man is the hardest to sever from the place of his birth. It is a heavier task to tear him from his country than to tear up an oak from its root; (cheers.) Oh! did the petitioners ever visit St. Catherine’s Dock when one of the emigrant ships is about to leave on its dismal voyage? (hear). Did they see the poor emigrants sitting down for the last time on the quay, as if to cling even to the very last moment to that soil where they first saw the light? (hear). Have you examined their countenances? Oh! you would not need to ask their feelings, for their hearts spoke out in their faces! Have you seen them taking leave of their friends? For me, I have often witnessed these distracting scenes. I have seen aged women saying to their children an eternal farewell! I have seen the mother and the grandmother disputing the last embrace of the son! (acclamations). I have seen these emigrant ships leaving the Mersey for the United States,—the eyes of all the exiles turned from the poop towards that beloved shore lost to them for ever; and the last object in sight to them, as their native land sank for ever in the darkness, was that line of huge granaries and vast stores, (vehement cheering,) where under the protection, I was going to say of our Queen, but no, under the protection of the aristocracy, were hoarded up mountains of nourishing food imported from America, the very thing that these sad exiles went to seek across the ocean! (enthusiastic applause). I am not accustomed to sentimentalize; I am known as a plain man, as a man merely of action and of fact, a stranger to the impulses of mere imagination. I tell you only what I have seen. I have seen these sufferings; yes, and I have shared them.”—(Speech of Mr. Cobden,—from Frederic Bastiat; *Cobden et la Ligue*, p. 43.)



economy; one finds it devoid of heart and bowels; and in judging it as it deserves, one is glad to find participating in one's indignation an English Protestant economist, whose authority as a man of science is, to say the least, equal to that of the partisans of Emigration.

The land of Ireland, (says Mr. John Stuart Mill), like the land of every other country, belongs to the people which inhabits it. The legislature should have looked with a different eye upon the forced expatriation of so many millions of men; and when the inhabitants of a country leave it *en masse*, because government does not leave them room to live, that government is already judged and condemned.\*

In order however to appreciate all the moral, religious, and political consequences of the Emigration movement, we must follow the emigrants beyond the seas, to those new continents to which they go to settle down.

What becomes of those thousands on thousands of Irishmen who yearly go far away from their country in search of what she seems obstinately to refuse them,—the hope of a better future courageously won by labour and economy?

Here, we confess, we come in contact with a sort of insoluble problem, and the designs of Providence in the trials of the Irish people appear to us profoundly mysterious. Not that there can be found any contradiction in the designs of God; in which all is essentially in exact harmony, and disposed with due number weight and measure. The contradiction is only an apparent one, and only proclaims the weakness of man's vision; it is like one of those optical illusions which only deceive inexperienced eyes, and which the powerful instruments of science readily dissipate. The difficulty arises from the fact that in the unfathomable designs of God upon the destiny of nations there are truths which of necessity escape us, and there appears to us a break in the chain of principles called in to support one another.

This apparent contradiction appears to us to be the following:

Considered individually, the moral and religious results of Emigration are frequently deplorable; not a year passes in which Catholic pastors have not to sigh over the perversion of souls, which left their country full of faith and virtue, and which speedily suffered shipwreck in both from the perils of the journey.

If, on the contrary, we consider the Emigration movement as a whole; if our view embrace not merely its individual but its general consequences; we find ourselves in presence of an

\* *Principles of Political Economy.*

admirable spectacle, and we cannot refrain from extolling that Divine Wisdom which makes everything concur in the execution of its plans, and which in order to hasten on the progress of the Gospel disperses to every wind of heaven the numerous tribes of a missionary people!

Let us compare these results, so different, and apparently so opposite one to the other.

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## CHAPTER VII.

### DANGERS TO THE FAITH OF THE EMIGRANT.

WE have already spoken of the religious precautions by which, before starting, the majority of emigrants prepare themselves to meet the dangers which await them. The various perils of a long voyage, the loss of family advice, contact with strangers, frequently the scandals of bad example,—dangers of every kind.

During the voyage, even, the emigrant must have both courage and strength of soul in order to lose nothing of the treasures which he has brought with him from his parish, and from the domestic hearth. In those immense ships which sail from Europe for America or Australia, everything has been provided for except the soul: or if with Christian foresight government provides with a chaplain the ships directly chartered by it, and under the immediate control of the Emigration Commissioners, it doubtless forgets that more than nine-tenths of those emigrants are Catholics;\* that the presence of a Protestant chaplain among them, far from being a consolation and a safeguard, may easily become a source of peril and oppression; and that, (especially during the voyages of four or five months necessary to reach the Australian ports,) it is a cruel and a grievous privation to Catholic emigrants never to hear the voice of their priest, to stir them up, to fortify, to encourage, and to calm their souls.

Trials more dangerous still await, upon their departure from Ireland, those young women whom the hope of helping their aged parents, by means of large wages to be got in Australia, induces to accept a free passage on board the government vessels.

\* It is not unusual to find a ship carrying out a body of emigrants exclusively Catholic and Irish. This applies especially to the Australian ships. The American ones having a shorter voyage to make are thereby less subject to the disadvantages here pointed out.

They have first to pass a day or two at the Emigration depôts at Birkenhead; and there they have to do with none but Protestant agents and officers. After their embarkation, more than one is obliged to take as her companion night and day\* some English or Scotch young woman. During the four or five months' voyage, these poor Irish girls hear around them scarcely anything but sarcasms against the Catholic religion on the part of their Protestant companions, or the gross and obscene talk of the crew. It may be that strong souls are not led astray by these influences, nor overcome by these attacks; they but conceive a greater devotion and stronger attachment to their faith: but are not the weak greatly exposed? At the end of the long voyage with what ideas, with what sentiments, in what a state of mind and heart, will they disembark at Sidney or Melbourne?

A priest who passed many years on the Australian mission, and who knew the whole extent of the evil arising from this organization during the voyage, actually obtained permission from the Emigration Commissioners to have a Catholic chaplain and a matron† of the same religion on board ships where Catholics should be in a majority. The English Commissioners consented to the project with the most praiseworthy kindness. The only thing that remained to be done was to get these equitable dispositions sanctioned by the Australian government of Victoria‡. The government however feared for its popularity if it should adopt a measure which would seem to favour too openly the Catholic party,§ and its refusal ruined a project which the agents of the English government had at least the merit of having encouraged.

It is chiefly after their arrival that Catholic emigrants are exposed to the greatest dangers. On board the vessel, they associate with one another; the strong encourage the weak; all mutually help each other to resist baneful influences, and to combat evil. The necessities of labour and colonization quickly separate them upon their arrival: some get work in the large towns; others in the manufactories, and upon the railways. A still larger number make for the newly opened-up territories, where there are wilds to reclaim, towns to build, parishes to

\* Two persons being put in each cabin.

† The woman charged with the superintendence and care of the female emigrants on board ship.

‡ The "Government of Victoria,"—formerly that of "Port Philip,"—whose capital is Melbourne.

§ "The then Prime Minister replied that he feared the 'no Popery' cry would be raised against him and his ministry, if they sanctioned such an arrangement." (Letter published in the *Dublin News* of Jan. 27th 1860, entitled '*Prospects of Irish Emigrants in Australia.*')

found. But Protestant emigrants have been beforehand with them; and Catholic priests are scarcely able to follow them there, because their numbers are too small and their zeal is baffled by the greatness of the distances. It thus happens that the emigrant finds himself isolated; and, despite his good will, unable to follow up the practices of his religion. Hence arises a speedy falling off, and a fatal indifference replaces that liveliness of faith which the example of his family, the exhortations of his pastor, and above all the frequentation of the sacraments fostered in Ireland; hence again the deplorable frequency of mixed marriages, and the forgetfulness of those essential rules by which the Church endeavours to palliate the effects of an abuse not authorized but only tolerated by her; hence, in fine, by a general concurrence of all these causes, the perversion of children who from their infancy breathe a Protestant air, hear no explanation of the Gospel but what is to be got at a Methodist or Presbyterian sermon, and thus finally adopt without scruple and perhaps in invincible good-faith the very errors which their fathers abhorred, and the struggle against which is recorded in their national history by three centuries of martyrdom and bloodshed.

This dark and discouraging picture is no idle fancy; it is unfortunately but too easy to find it drawn in the correspondence of our missionaries. Let us hear upon this grave question the bishops and priests of America: "At the beginning of this century," said in 1833 Dr. Dubois, Bishop of New York, "the newly-arrived emigrants were employed in the State of New York as day labourers, servants, journeymen, clerks, and shopmen. Now the condition of this class here is precisely the same as its condition in England; it is entirely dependant upon the will of the trader: not because by law they are forced thereto, but because the rich alone being able to advance the capital necessary for factories, steam-engines, and workshops, the poor are obliged to work for them upon the masters' own conditions. These conditions, in the case of servants especially, sometimes degenerates into tyranny; they are frequently forced to work on Sundays, permission to hear even a low Mass being refused them; they are obliged betimes to assist at the prayers of the sect to which their masters belong, and they have no other alternative than either to do violence to their conscience or lose their place at the risk of not finding another. Add to this," continues the bishop, "the insults, the calumnies against Catholics which they are daily forced to hear, a kind of persecution at the hands of their masters, who do everything to turn them away from their religion: consider the dangers to which are exposed numbers of orphans who lose their fathers almost

immediately upon landing: add to this the want of spiritual succour, a necessary consequence of the scarcity of missionaries; and you will have a feeble idea of the obstacles of every kind which we have to surmount. There is another circumstance which diminishes our resources, whilst it exhausts those of charity. The greater part of the Catholic population being composed of emigrants, nearly all workmen employed in factories or out at service, have not the resources of the Americans, surrounded by relations who can help them in case of need, give them hospitality, or take care of their children: it is an easy and inexpensive thing here; for on the farms there is nearly always work enough to keep the old men and children employed. Our emigrants, on the contrary, are nearly all isolated beings, without relations at hand; or if they have any, they are workmen or servants like themselves. Supposing then an emigrant, the father of a family, to die, the widow and orphans have no other resource but public charity; and if a home is found for the children, it is nearly always among Protestants, who do everything in their power to undermine their faith.”\*

The year following, Dr. Purcell, then Bishop, and now Archbishop of Cincinnati, related in nearly the same terms equally distressing facts. “There are places, (said this prelate,) in which there are Catholics of twenty years of age, who have not yet had an opportunity of performing one single public act of their religion. How many fall sick and die without the sacraments! How many children are brought up in ignorance and vice! How many persons marry out of the Church, and thus weaken the bonds that held them to it! Deprived of all religious succour, scarcely ever seeing missionaries, a very large number of Catholic emigrants from Europe end by totally forgetting every practice of religion and by falling into a fatal indifference. Their children, brought up in ignorance or drawn into the schools of sects, thence marry into Protestant families whose errors they adopt.”†

The same complaints were made by the Coadjutor Bishop of Philadelphia;‡ by Dr. England, Bishop of Charleston in 1836;§ and at a very recent period, during the greatest development of the emigration movement, by the Bishops of the Province of Cincinnati, for the first time assembled in Synod in 1855.||

In Canada the circumstances of the emigrants are the same; the same fatal consequences resulting from their isolation.

\* *Annals of the Prop. of the Faith*, vol. viii. p. 204.

† *Ib.* viii. 339. ‡ *Ib.* x. 154-155. § *Ib.* xxiii. 112. || *Ib.* xxvii. 335.

“Of all the dangers incurred by our Catholics, (said in 1856 a missionary of the diocese of Toronto,) one of the most common is the forced isolation into which they are thrown upon their arrival in Canada. They come mostly from Ireland; where their faith is so lively, and where they were surrounded by their relations and borne up by the force of example. The Church was at hand; the priest was there every day to encourage and direct them; they were accustomed to see him at home, to consult him in all circumstances as a friend, as a father; his presence tempered their misfortunes, and added to their joys; his satisfaction made them happy; and if by some fault they had grieved him, it was an evil which they deplored and which they hastened to repair. Here what a change! Nearly a hundred thousand Catholics are scattered through the diocese over a surface nearly equal to the half of France; in the midst of a Protestant population five times as numerous; often lost in the woods; seeing the priest but at long intervals; and frequently having to travel four five or ten leagues to enjoy that consolation: the churches and the pastors are so scarce! But if the present generation is, notwithstanding its habits of piety, so seriously exposed, what shall we say of the one that is growing up? This is the greatest of dangers for Catholicity in these parts; the fathers are for the most part good, because they have been formed by pastors and by numerous and zealous masters in faithful Ireland; but who will instruct their children, who will give them that Christian education so necessary every where, but especially in a country so full of dangers? It is thus that faith is weakened, and indifference as to the form of worship gains ground, that doubt penetrates into the sanctuary of the conscience, and that morals become relaxed: in proportion as God and the eternal destiny of man are forgotten, greater attachment to the earth and to the enjoyments of life is formed. If orthodoxy were not so deeply rooted in the hearts of these poor Irish Catholics, we should count apostasies by thousands. But the faith lies eternally in this generous people, which has suffered so much for it. May they guard it! may we be the means of handing it down from father to son.”\*

During the same year another Canadian missionary, who has since become one of the most violent enemies and one of the most obstinate calumniators of the Church of which he was then the humble and fervent apostle, called in his turn for the charity and the solicitude of the Society for the Propagation

\* *Annals*; vol. xxviii. p. 309-319. (Letter from the Abbé Soulerin, missionary in the diocese of Toronto, (Canada), dated April 6th 1856.)

of the Faith, in favour of the emigrants.\* He expatiated on the "innumerable evils to which this voluntary exile gave rise in a religious point of view, and the laxness of many both on account of the distance between them and the churches and Catholic priests, as well as on account of their daily contact with impiety and heresy."

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## CHAPTER VIII.

### PROGRESS OF THE CHURCH IN AMERICA THROUGH EMIGRATION.

SUCH are, according to the evidence of the most trustworthy witnesses: the fatal results too frequently attendant upon Emigration: in many souls practical religion loses ground, faith is weakened, and supernatural virtue disappears; the children of the saints allow themselves to be corrupted by the children of this world, and in their inability to arrest these weak and inconstant souls on the brink of the precipice their pastors shed bitter tears. What Christian heart but would share their pious grief and the lawful solicitude of their charity? And on the day when these poor emigrants, whose souls are still full of the teachings and holy traditions of the faith, bid adieu to their native land, to encounter all these perils, who would not pray fervently that not one among them might perish: that the Lord would always cover them with His shadow, protect them with His truth as with a buckler and a shield, and give His angels guard over them in all their ways, lest perhaps they dash their foot against a stone, and give them strength to tread upon the lion and the dragon, to triumph over violence and fraud.†

Still, we have said, God who is wonderful in His ways, and

\* *Annals*, Vol. xxix. p. 119-130. (Letter from Mr. Chiniquy, missionary in the State of Illinois, whose efforts had gathered around a little chapel, built in the prairies, about two thousand emigrant families. He has since embraced Protestantism, and has himself become that "roaring lion of heresy" of which he spoke in his letter. In 1860 he came over to Europe in order to enlist Protestant generosity in favour of the success of his new mission. We happened to be in Londonderry at the end of September of the same year, at the time of Mr. Chiniquy's visit, and on the very day when this former apostle of Illinois had awakened the enthusiasm of a Presbyterian meeting by revealing the "monstrous abuses of confession." The speech made by him on this occasion was published *in extenso* in the *Londonderry Standard* of Sept. 27th, 1860.)

† (*Ps.* 90.)—It is however important to remark, and this fact we have from persons who have passed many years in the United States, that the young Irishwomen who emigrate are always remarkable for that regularity of conduct and that purity of life which continue to be the undying honor of Ireland.

whose impenetrable counsels escape the calculations of human wisdom, has visibly assigned to the Irish Emigration movement a place in His designs for the propagation of the Gospel, and the peaceful conquest of the world by the Catholic apostolate. These are marvellous trials of His mercy and power, which we must endeavour to group in a more consoling picture than the preceding.

It is a truth grounded upon the revealed Word itself, and substantiated in the whole course of history, that the growth of human societies and the different phases of their existence correspond to a special vocation given to each people and forming part of the Divine plan. To take but a single example: the dispersion of the tribes of the Jewish people amongst all the nations of the earth was not intended merely as a chastisement; it was also intended to awake among the gentiles the memories of a primitive revelation, and to bring the numberless souls who had gone astray back to the knowledge of the true God.\*

The vocation of the Jewish people was an essentially religious one: whilst Greece and Rome were entrusted with the mission of civilizing the barbarian world, the one by letters, the other by laws, the posterity of Abraham were to hand down from generation to generation, and to preserve intact amidst all the corruption of the pagan world, the deposit of Divine truth.

The same has been the case in all the course of Christian History: there are nations who bear visibly on their brow the mark of predestination, and whom God seems to have reserved for the accomplishment of his will upon the world. "The vocation of Christian races," said but lately a great voice, which has but just been hushed in death, to the grief of the universal Church,† "is to propagate the truth, to enlighten nations farther away from God, to carry to them at the price of labour and at the risk of death the eternal blessings of faith, justice, and civilization." It is assuredly one of the most incontestable glories of France to have been chosen as the providential instrument of so many divine works, of which in all history it will ever be said that they are "the doings of God through the Franks,"—*gesta Dei per Francos!*

Such a predestination, but one more deeply marked by the Christian token of suffering and sacrifice, has long signalled out the Irish nation to the respect and gratitude of the Catholic universe.

\* "Confitemini Domino, filii Israël et in conspectu gentium laudate eum : quoniam ideo dispersit vos inter gentes quæ ignorant eum, ut vos enarretis mirabilia ejus, et faciatis scire eos quia non est alius Deus omnipotens præter eum."—(Tobias, xiii. 3, 4.)

† Father Lacordaire ; *Discours sur la vocation de la nation Française*, vol. I, p. 435.



She is and has been the Missionary Nation *par excellence*, from the very outset of her history.

"The meditation of the Irish Monks," said another eloquent champion of the Catholic cause, "was disturbed by a passion for pilgrimages and preaching. These men, who had sought peace in solitude, did not find it there; they felt themselves burning to emerge from it, to scatter the fire of sacred science which devoured them, to evangelize infidels and degenerate Christians. In their dreams, in their extasies, angels appeared to them, and called them to show them whole peoples seated in the shadow of death; they saw the sea divided before them, or changed under their footsteps into a meadow enamelled with flowers."\*

Accordingly they were to be seen braving the storm to evangelise the Hebrides, the Highlands of Scotland, Northumberland, Neustria, Flanders, Austrasia, Helvetia, the Rhetii, the two Burgundies: then crossing the Rhine, the Pyrenees and the Alps, announcing the good tidings to Germany and Spain, and even so far as to the remotest corners of Magna Græcia.†

With the persecutions consequent upon the Reformation,—that is from the fifteenth century,—this vocation of the Irish people become more manifest. It is really the nation itself which is invested with the sublimest of all apostleships,—that of preaching the truth by suffering, or if needs be by dying for it. "Our mission is to be nailed to the cross, and to suffer for the propagation of the Gospel," said O'Connell in 1839; and the whole supernatural meaning of the Emigration movement, and of its developement during the last thirty years, is summed up in this sublime saying.

"It has pleased Divine Providence," said in 1850, Dr. Byrne, Bishop of Little-Rock, "to keep this faithful people under the press, in order that it might leave the land of its fathers, and that by its dispersion it might be a Christian seed among distant nations."‡

Like those Christians whom Saul with his ferocious zeal persecuted before his conversion, and who fled in all directions in order to escape him, the Irish wherever they go carry with them the word of God, and in countries until but lately infidel they sow broadcast that seed which is everywhere springing up into numerous and powerful Catholic societies.

"They it is," was said ten years ago in the *The Annals of*

\* Ozanam, — *Etudes Germaniques*, vol. II., p. 102.

† See Sermon of the Bishop of Orleans at St. Roch, 25th March 1860; p. 7, 8; and M. de Montalembert, *The Monks of the West*, vol. II., p. 413.

‡ *Annals of the Propagation of the Faith*; vol. xxiii., p. 109.

*the Propagation of the Faith*, "who have given to the United States the greater part of her Catholic population, and who yearly pour into her bosom the tribute of one hundred and fifty thousand souls."\*

Thus if on the one side we see so many individual evils which it is impossible should not result from emigration, on the other we may also see how this Exodus has extended in every direction over the whole world the frontiers of the Catholic Church! It would seem that it was to this race and to its present destiny that Isaiah was alluding when he comforted by the hope of a magnificent future her "who had so long been poor, so long beaten by the tempest and without consolation."

"Give praise," he says, "O thou barren, that hearest not; sing forth praise, and make a joyful voice, thou that didst not travail with child;

"Enlarge the place of thy tent, and stretch out the skins of thy tabernacles; spare not; lengthen thy cords, and strengthen thy stakes.

"For thou shalt pass on to the right hand and to the left: and thy seed shall inherit the Gentiles, and shall inhabit the desolate cities."†

We can still follow, in the accounts of the councils of the bishops and missionaries of America, these admirable results of one of the most cruel trials to which a nation was ever submitted.

As early as the eighteenth century, long before the foundation of the Republic of the United States, a certain number of Irishmen had already gone over to America in order to escape from the penal laws. They first settled down in Maryland; a colony founded in the seventeenth century by Lord Baltimore and an emigration of Catholic colonists, but which Protestants had however speedily invaded and subjected nearly exclusively to their influence. The manner in which Irish Catholic refugees were received there was not calculated to encourage emigration. Consistent with itself in the two hemispheres, and warned perhaps by an instructive foreboding of the consequences to Catholicity which were to result from Irish emigration, Protestant fanaticism had recourse to its ordinary weapons. Amongst many other tyrannical provisions the Maryland legislature had enacted one degrading the Irish confessors of the faith; it laid the same tax upon the importation of an Irish "servant," as it did upon that of a negro.‡

\* *Annals*, xxiii. 109.

† *Isaias*; liv.; 1-3.

‡ *Annals*; x. 258. — (Letter of Dr. England, Bishop of Charleston.)

There was however this difference between the negro and the Irish servant; that the fetichism of the former was perfectly unshackled, whilst the latter could not with impunity venerate the cross upon a soil where he was taxed and brow-beaten. "So that," says the Protestant historian MacMahon, "in a colony founded by Catholics, and which under the government of a Catholic had attained power and prosperity, the Catholic alone became the victim of religious intolerance."\*

It is to the honour of the American Republic that it did away with these odious laws, and gave to the Catholic church a free place in the midst of the different Protestant churches; and amongst the glorious memories of Washington and the founders of American liberty there is one which we cannot forget,—it is that they desired to take counsel of the venerable Dr. Carroll, destined shortly afterwards to fill the archiepiscopal chair of Baltimore, "in order to secure in the constitution the principle of religious independence,"—and that they invited him to sign with them the act of federation.†

At the beginning of this century there were only two bishoprics in the United States; that of Baltimore, erected in 1789, and that of New Orleans, erected in 1794.

When Dr. Carroll held his first diocesan synod in 1791, all his priests assisted at it: they numbered but twenty-two. The census of the Catholics gave the following results: Maryland 16,000; Pennsylvania 7,000; the rest of the United States 1,500; in all 24,500. With the exception of one solitary convent, that of the Theresians, there was no religious or ecclesiastical community, no college, no seminary, not even a Catholic school, in all the States. The few chapels of those days were either huts, or private houses rented for divine service.

Starting from the nineteenth century the foundation of numerous bishoprics attests the progressive increase of the number of Catholics. In 1791 there were but two dioceses and less than 25,000 Catholics; forty years later, in 1830, the United States counted eleven dioceses and five hundred thousand Catholics.

In 1826, an Irishman whose name has remained in veneration in the United States, Dr. England, Bishop of Charleston, was the object of a distinction which proved all the influence won by Catholicity in the very country where half a century before the condition of the Catholic servant was worse than that of the negro. When Dr. England was at Washington, during the winter of 1825, many members of the Senate and Congress who held his person and eloquence in high esteem

\* *Annals*; xxii. 335.

† *Id. Ib.*

called upon him and requested him to give a discourse in the Capitol. He consented; and by the success of his discourse, which was published, contributed to dispel in many minds prejudices against Catholicism.

In 1834 a still more striking and significant mark of esteem was rendered to a religion but shortly before proscribed by penal laws. The Senate and the Congress have each a chaplain appointed by election. The ordinary functions of the chaplains consist in opening each day's sitting by prayer; but they both enjoy the right of preaching on Sundays in the Chamber of Representatives, the more spacious of the two. They exercise this right alternately; sometimes, by mutual agreement, and with the consent of the members of Congress, other ministers are invited to occupy the pulpit. In 1834 the Senate, by a large majority, elected for its chaplain, a young Catholic priest, Mr. Charles Constantine Pise, a native of the United States, belonging to the diocese of Baltimore.\*

Henceforth, European and especially Irish emigration was destined to multiply rapidly the number of pastors and faithful in this part of the new world.

Hence, in their solemn assemblies, the bishops of this young and vigorous church pour forth to God the homage of their gratitude. Are not these poor exiles whom the tide of emigration has cast on the shores of America that mystical vine transplanted from Egypt by the Lord himself, which scarcely planted in the new land is already covering the hills with its shade, pushing forth its tendrils even to the shores of the sea, and ripening its fruit upon the river banks?†

"The Church suffers in civilized countries," said the Fathers of the sixth synod of Baltimore; "she is checked in them: the successors of the Apostles could not meet together in them without exciting the fears or provoking the menaces of the powers of this world. Here we are but of yesterday; we have scarcely emerged from our infancy; and already we render in common and publicly our testimony to the faith, to the discipline of our holy religion. . . ."

"Never," added they, "was there an epoch more important or more critical. It is that of our growth. Emigration from Europe is incessant and extensive. Our flocks are in general made up of those poor to whom the Gospel must be incessantly preached."‡

\* *Annals*; Vol. vii. 150, 151.

† "*Vineam Ægypto transtulisti, ejecisti gentes et plantasti eam. Dux tineris fuisti in conspectu ejus: plantasti radices ejus et implevit terram. Operuit montes umbra ejus. Extendit palmities suos usque ad mare, et usque ad flumen propagines ejus*"—(*Ps. lxxix.*)

‡ *Annals*, Vol. xviii. (6th Synod of Baltimore, 1846.)

It was, in fact, immediately after this synod that the great era of the Exodus opened, and that European emigration suddenly assumed unexpected proportions. It exceeded 250,000 souls yearly; and the Fathers of the Seventh Synod of Baltimore while invoking the charity of the Christians of Europe in favour of the exiled tribes bore witness to the new progress of the American Church. At this synod two Archbishops and twenty-three Bishops sat around the same altar, regretting the absence of two other prelates, the distance of whose dioceses had prevented them from taking part in this imposing assembly.

"The future of the Church," said these successors of the apostles, "opens out before us with the hopes the consolations and the vigour of a church still young, which is growing like a new vine, and which will soon count amongst its labourers six Archbishops and thirty Bishops. Besides the secular clergy we have for co-operators nine religious bodies or pious societies, a precious portion of the Church militant which edifies the pastors no less than the faithful, and the branches of which are daily multiplying. Our religious communities present a no less consoling spectacle; hospitals, orphan asylums, poor-schools, boarding-schools for the higher classes, numberless establishments are prospering under the direction of virgins consecrated to God.

"What an interesting portion of the Lord's vineyard! It stretches from the banks of the St. Lawrence to the Pacific, from Canada to the Gulf of Mexico; it will follow the destinies of the nation among which it has struck root so deeply; the innumerable islands situated between America and China will before long be calling our missionaries to their help."\*

Other synods,—the eighth of Baltimore, the first and second of New Orleans, and that of Saint Louis,—hold the same language, bear witness to the same progress, and express similar hopes.

Let us sum up in a few figures this rapid and prodigious expansion. In 1791 there was but one bishop, twenty-two priests, and 24,500 faithful. In 1862, there are seven archbishops, forty-three bishops, 2,700 priests secular and regular, and more than four millions of Catholics.† In 1791 there were but a few scattered chapels, most of them either huts or private houses: in 1862 there are more than 2,900 churches or chapels, without taking into account any of the

\* Seventh Synod of Baltimore; 1819; (*Annals*, xxi. 269-291.)

† The exact number is, according to the *Catholic Directory* for 1862, 4,800,000, (counting California and Michigan.)

2,576 stations, or places temporarily used as places of worship when the missionaries are on their rounds.

In 1791 there was but one single convent,—no college, seminary, or Catholic school; in 1862 there are 68 seminaries, 1,109 ecclesiastical students, 265 convents, and nearly 250 charitable institutions of different kinds.

The civil war, which is at the present moment arming one-half of this great Republic against the other, may check for a moment this marvellous growth; on the one hand by slackening the emigration movement, and on the other by causing the Catholics to feel the effect of those industrial and commercial disasters which the war must infallibly bring about. But whatever may happen the chief result has been obtained; from the grief of their exile, from the toil of their long and painful journeys, the emigrants—and particularly those from Ireland,—have contributed to the accomplishment of one of the great designs of God upon the future of the New World; in less than three quarters of a century these numerous generations, living stones mysteriously consecrated by sacrifice and persecution, have come to lay themselves one upon the other, and to build up under the hand of the Divine Architect that majestic edifice the Church of the United States, which Catholicity justly reckons amongst its most precious treasures and its best founded hopes. Is it not evident that the finger of God is there? and might not the emigrant people say to those who have driven them from their homes into a foreign land, what Joseph said to his brothers: “You thought evil against me; but God turned it into good, that he might exalt me, as at present you see, and save many people.”\*

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## CHAPTER IX.

### RESULTS OF EMIGRATION TO CANADA AND AUSTRALIA.

THE progress made by the Catholic Church in Canada and in Australia is neither less wonderful nor less consoling.

In 1822 the English North American colonies possessed but the single bishopric of Quebec. At the present day there are two archbishoprics there, (Quebec for Canada, Halifax for Nova Scotia), and fourteen bishoprics.†

\* *Gen.* ; 1. 20.

† *Battersby's Cath. Direct.* : 1862 ; 406 and fol.—We possess detailed statistics upon some of these dioceses. In that of Toronto there are : 70 churches and chapels ; 40 stations ; 34 priests ; 4 colleges or convents ; 60 schools ; and

Forty years ago Australia seemed doomed to serve as a permanent receptacle for the malefactors of the British Empire; on the whole of that immense continent not a chapel nor a priest was to be seen.\*

The first missionary who appeared in those countries was a certain Rev. Mr. Flinn, on whom the Holy See had conferred the title of arch-priest, with power to administer confirmation. Arrived at Sidney in 1818 the Rev. Mr. Flinn did much good there in a short time. But the authorities of the place, jealous of his success, accused him of having come without the authorization of the British government, which according to the laws was nowise necessary. Upon this pretext they imprisoned the missionary a few months after his arrival; deprived him of all communication with his flock; and put him in spite of himself on board the first ship that was bound for England.

He had left the Blessed Sacrament in the church at Sidney. There the faithful frequently met during the two years following his departure, in as large numbers as they could muster, to offer up to God their prayers and to look for consolation in their affliction.

At this epoch Catholics, especially the Irish, were treated in the colonies with extreme severity. Thus, it was forbidden to speak Irish under pain of fifty strokes of the whip; and the magistrates, who for the most part belonged to the Protestant clergy, sentenced also to the whip and to close confinement those who refused to go to their sermons, and to assist at a service which their consciences disavowed.†

In 1820 two fresh missionaries replaced the Rev. Mr. Flinn. Already in 1833, out of a population of 100,000 souls, there were from twenty to thirty thousand Catholics. The first bishop sent out to those distant regions was Dr. Polding. He arrived towards the end of the year 1835, accompanied by three priests, and four students who were preparing for orders.

44,000 Catholics. In that of Bytown, (Canada): 76 churches; 56 priests; 25,000 Catholics. In that of Montreal: 110 churches; 60 priests; 12 religious communities; 56,000 Catholics. In that of St. Hyacinth, (Canada): 64 churches; 86 priests; 6 religious communities; 210 schools; 150,000 Catholics. In that of Halifax: 60 churches; 36 priests; 1 college; 5 convents; 60,000 Catholics. In that of St. John's, (New Brunswick): 86 churches; 40 stations; 40 priests; 4 convents; 1 college; and 100,000 Catholics.

\* *Nouveau coup d'œil sur l'oeuvre de la Propagation de la foi*; (1856, p. 33.)

† Memoir on the Mission in Australia, by Rev. W. Ullathorne, of the Order of St. Benedict, and Vicar-General of the Mission. (*Annals*, X. 424.) Dr. Ullathorne is now Bishop of Birmingham. The author begs to offer him the expression of his sincere gratitude for the very kind reception he did him the honor to give him in the month of July 1860, and for the valuable information which he was kind enough to communicate to him touching the Australian emigrants.

Very soon the transported were not the only ones on whom the zealous missionaries had to bestow their care. The English government extended its counting houses and mercantile establishments in all directions over these islands vast as continents; the work of colonization went forward; the laws, or rather the intolerant usages, of which the Irish Catholics had in the beginning been the victims, had disappeared. The voyage to Australia was doubtless longer, dearer, and more dangerous than that to the United States; in return Irish Catholics had the advantage, upon their arrival, of being able to form themselves into a more compact body, and of not being scattered, as in the United States, without mutual protection and without religious resources in the midst of an heretical or indifferent population. There also the measure of emigration was the measure of the rapid progress of the Catholic Church. In 1846 Australia formed an ecclesiastical province, in which were included the Archbishopric of Sidney, and the Bishoprics of Adelaide and Hobart Town; it boasted of a metropolitan Church, twenty-six Chapels, and thirty-one Schools; and it possessed fifty-six missionaries, divided between the care of the civilized population, and that of preaching the Gospel to the savages of New Holland. Moreover on the request of Dr. Polding, a new bishopric, that of Perth, had just been erected; and the titular of that see, Dr. Brady, came from Europe commissioned to establish other new Apostolic Vicariates.\*

In 1848 the government of Australia having declined receiving convicts from the mother-country, free immigration increased on a vaster scale; Irish Catholics flocked in; "it is their generous faith," said one of our fellow-countrymen in 1858, "which has created for our holy religion the honorable position it occupies, especially in New South Wales."†

The Spanish Benedictines, and at their head the Fathers Serra and Salvado, (now both of them bishops, the one of Perth, the other of Port-Victoria,) energetically seconded the zeal of the missionaries from Ireland and England.

Thanks to these fortunate circumstances, Catholicism is every day gaining in numbers and influence.

"As the Catholics are numerous," says the same missionary, "as they reckon among them influential men, as they are to be found in nearly every family, and are consequently better known,—the old hatred of England, her time-worn and ridi-

\* *Annals*, &c; xviii. 525.

† Letter of M. Poupinel, of the Society of Mary, to His Eminence Card. de Bonald, Archbishop of Lyons; Jan. 7, 1858; (*Annals*, xxx. 314.)



culous prejudices against our brethren scarcely exist any longer in New South Wales. For the last twenty years Catholicity has been on a perfect equality with all the other religions recognized by the state; our priests and schoolmasters are paid by the state. Whenever Catholics set about building a church or a school, government always furnishes a sum equal to that raised among themselves by donation and subscription.”\*

Australian Catholics give so liberally, that good works spring up as though by magic throughout this land until but lately accursed. There also is being prepared the future of a church full of life and fruitfulness. Forty years ago, a few hundred Catholics were the most that were to be met with: to-day they may be estimated at over two hundred thousand. The first bishop arrived in Australia in 1835: to-day Sidney is an archbishopric around which are grouped five suffragan† bishoprics, without mentioning those of Auckland (New Zealand), and of Brisbane, (Queensland). Who can sound the ulterior designs of Providence upon the destinies of a church so young and already so flourishing?

Irish Emigration to England and Scotland offers contrasts no less striking than that to America and Australia. There also, though indeed at the price of individual evils which cannot be too much regretted, is being worked out a large amount of aggregate good the influence of which is daily becoming more and more manifest.

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## CHAPTER X.

### IRISH EMIGRANTS IN ENGLAND.

SEA communications between Ireland and England have so multiplied within the last fifteen years, that no one is astonished at seeing Irish families daily disembark from the steamers on the quays of Liverpool, Bristol, Milford-Haven, and London. Some, and these are the greater number, evicted from their little holdings, and despairing to find even in the most commercial towns of Ulster, Belfast and Londonderry, profitable employment, make for Manchester, Leeds, and Birmingham

\* *Annals*, &c., xxx., 315.

† The Bishoprics of Adelaide, Hobart Town, Melbourne, Perth, and Victoria. (Thom's *Off. Dir.*, 1862, p. 651-658. *Cath. Dir.*, 1862, p. 415, 423. In the latter may be found the statistics of each of these new dioceses.)

and fill up the ranks of those manufacturing armies which are supported by the great iron and cotton trades. Others begin by working in the fields in those counties where field work is to be found; and on the approach of the winter they flock into the suburbs of the populous cities, where, like the Jews of the Ghetto in Rome, and the Christians of Galata in Constantinople, the Irish usually inhabit separate districts, in which they mingle as little as possible with the English population.\*

The official census for 1841 counted 419,256 born Irishmen settled in England and Scotland.† According to the most moderate estimates their number has more than doubled within twenty years; and it may now without exaggeration be computed at nearly a million. We cannot give the precise figures, since the last decennial census (1861) makes no mention of birth-place.

The greater part of these emigrants to England and Scotland are Catholics. It is known that with few exceptions the Protestants of Ireland form the wealthiest portion of the population; and with the exception of a few capitalists who embark their money in the great commercial concerns of England, the whole of the remaining population is composed of poor labourers depending upon their daily toil for their daily bread.

It is assuredly a study deserving of the most serious attention to trace through the different phases of their new existence those seven or eight hundred thousand Irishmen, who have, for the greater part, suddenly exchanged the labours and condition of agricultural life for the work of the towns. For all who are interested in religious questions, and in the moral condition of the labouring classes, still more so for hearts accessible to the holy solitudes of Christian faith and charity, it is impossible not to ask themselves what is to become (scattered as they are among twenty millions of Protestants of every denomination, of every church, of every sect) of those children of faithful Ireland, the sons and grandsons of those who for the last three centuries have in spite of all violence, of all perfidy, defended the treasure of Catholic faith, and who still repeat to-day the Creed that England has forgotten, and which St. Patrick taught them.

We shall speak chiefly of the Catholics settled in London, because we have ourselves studied very closely the material and moral condition in which they are placed. These observations may however be easily generalized, and extended

\* Léon Faucher; *Etudes sur l'Angleterre*; vol. I., p. 23, 24. Henry Mayhew; *London Labour and the London Poor*; vol. I. pp. 104, &c. London, 1861.

† Blue Book, *Census* of 1841.

to all those manufacturing towns of England and Scotland which yearly receive a part of the Emigration contingent.

The Irish town is situated in the east of London. The neighbourhood of Drury-lane contains, it is true, a large number of Irish: but it is principally in the vicinity of Spitalfields and the Commercial Road that we must study the consequences of that periodical emigration which annually brings, from Dublin and Waterford so many thousands of families into the capital of Great Britain.

The parish of St. Anne, Spitalfields,\* is in the hands of the French Marist fathers, who estimate at 12,000 the number of Irish congregated in the alleys and courts of which this quarter, one of the most wretched in London, is almost exclusively composed. The large parish of St. Michael, Commercial Road, is still more populous; because the neighbourhood of the Thames and of the East India Docks attract thither large numbers of labourers. The priests who serve this church, under the firm and intelligent direction of an Irish parish priest, the Rev. Mr. Kelly, estimate at 20,000 the number of their Catholic parishioners. These zealous missionaries not only gave me the most valuable information concerning the Irish population confided to their care; but on three different occasions two Marist fathers and one of Mr. Kelly's curates were so obliging as to guide me through this labyrinth of little streets, blind alleys, and dark and narrow lanes, in which a stranger would infallibly lose himself if he attempted to visit alone this part of London which one would suppose to be a thousand leagues from Piccadilly and Hanover Square.

There it is indeed that are to be found "those unpaved streets, without gaslight, and without drainage: those courts from which there is egress neither for air nor water; those pestilential cess-pools which no other population would inhabit, and which for the honor of humanity nowhere else exist."†

Ordure heaped up at the end of the narrow and dark alleys; fetid pools, which spread around an unwholesome dampness; the little light which can struggle through London's habitual fogs intercepted by rags strung across the street; each house divided into a large number of little dark rooms, usually let by the week: all these features grouped together will afford still but a very imperfect notion of the reality, but a pale sketch indeed when compared with the original.

We penetrated into these famous Irish courts, each of which is as it were a distinct colony; we ascended the dark and damp staircase of those wretched dwellings; we questioned their

\* Spicer-street; Albert-place; Whitechapel.

† Léon Faucher; *Etudes sur l'Angleterre*, l. 9.

inmates, as to the time they had been in London, the causes which had brought them thither, the resources which work procured them, their daily budget of incomings and outgoings;—questions with which my guides mingled now words of consolation and encouragement, now of paternal reproof, always received with the most respectful deference, and eliciting resolutions of improvement for the future.

To the information gathered on these occasions we have been able to add that given us upon the same question by our French Sisters of Charity, but lately established in the vicinity of Westminster bridge, and by the Sisters who under the direction of the Fathers of the Oratory are charged with the conduct of the Drury-lane Schools. On re-perusing, since this journey, the studies of M. Léon Faucher upon these same quarters of London, and the very curious work which Mr. Henry Mayhew has devoted to the labouring poor of this immense city,\* we were struck by the coincidence between the observations of these two publicists and those which we had made ourselves.

All these impressions may be summed up as follows.

When Irish Emigrant families upon their arrival in London can immediately put themselves into communication with the clergy of their quarter, it is easy to keep them to the good principles and Christian habits which they have brought with them from their own country.

Very frequently, notwithstanding the pernicious influence of the sights to be met with at every step in those eastern regions, swarming with thieves and prostitutes,† notwithstanding the active propagandism of the Bible Societies which immediately pounce upon the new-comers, and try by every kind of means‡ to enlist them under the banner of some Protestant sect, there are to be found in those haunts of misery, and suffering prodigies of innocence, virtue, purity, and unshakable attachment to the Catholic faith.

\* We might also mention the work of an English lady, which appeared during the summer of 1860, under the catching title of *Undercurrents Overlooked*.

† It is in the neighbourhood of the Docks especially that there reigns a depravity of which it is impossible to form an idea. English sailors return from long voyages with large sums of money, and usually spend them there in debauchery and continual orgies of the most shocking kind.

‡ We remember a poor Irishwoman of one of the Spitalfields courts, who had received, a few days previously to our call, a visit from a sister or wife of one of the Protestant ministers of the quarter. She had been offered tea, sugar, and a little money, on condition of sending her children to the Protestant school. The poor water-cress woman was probably much in want of a few shillings to pay the rent of her wretched apartment. She related to us with indignation however how she had put out of her door this missionary in crinoline.

It is impossible to read unmoved, in the work of Mr. Henry Mayhew, those interrogatories by which he delighted to get from the mouths of these poor Irish people details touching their position and their habits. The crossing-sweeper, the flower-girl, the apple or orange woman, the woman selling herrings in the streets, all have generally been driven to London by the same circumstances or the same misfortunes. Their parents were farmers in some county of Ireland; they were unable to pay the rent; their cabin was destroyed; living was too dear in the country; to the workhouse they would not go; they came there to London,\* where perhaps they already had a relation, a brother, an uncle, or friends. Then their relations died; the children were taken in by the neighbours; and now they are making out a livelihood as best they can, and, in spite of all the seductions of poverty and vice, still preserve intact their morals and their faith. Hear the statement of the Irish costermonger, (as reported by Mr. Mayhew,†) in his own words:

“I had a bit o’ land, yer honor, in the county Limerick. Well, it wasn’t just a farrum, nor what ye would call a garden here, but my father lived and died on it—glory be to God!—and brought up me and my sister on it. It was about an acre, and the taties was well known to be good. But the sore times came, and the taties was afflicted, and the wife and me—I have no childer—hadn’t a bit nor a sup, but wather to live on, and an igg or two. I filt the famine a-comin’. I saw people a-feedin’ on the wild green things, and as I had not such a bad take, I got Mr. ——— (he was the head-master’s agent) to give me 28s. for possission in quietness, and I sould some poulthry I had—their iggs was a blessin’ to keep the life in us—I sould them in Limerick for 3s. 3d.—the poor things—four of them. The furnithur’ I sould to the neighbors, for somehow about 6s. It’s the thruth I’m a-tellin’ of you, sir, and there’s 2s. owing of it still, and will be a perpitual loss. The wife and me walked to Dublin, though we had betther have gone by the ‘long say,’ but I didn’t understand it thin, and we got to Liverpool. Then sorrow’s the taste of worruk could I git, beyant wonst 3s. for two days harrud porthering, that broke my back half in two. I was tould I’d do betther in London, and so, glory be to God! I have,—perhaps I have. I knew Mr. ———; he porthers at Covent Garden, and I made him out, and hilped him in any long distance of a job. As I’d been used to far-rumin’ I thought it good raison I should be a costermonger, as

\* “They were driven over by the famine, when they could not procure, or began to fear that soon they could not procure, food to eat. . . . They were forced to take refuge in this country by the evictions, when their landlords had left them no roof to shelter them in their own.”—(Mayhew, I. 105.)

† I. 105, 106.

they call it here. I can read and write too. And some good Christian—the heavens light him to glory when he's gone!—I don't know who he was—advanced me 10s.—or he gave it me, so to spake, through Father ——. We earrun what keeps the life in us. I don't go to market, but buy of a fair dealin' man—so I count him—though he's harrud sometimes. I can't till how many Irishmen is in the thrade. There's many has been brought down to it by the famin' and the changes. I don't go much among the English street-dalers. They talk like hay-thens. I never miss Mass on a Sunday, and they don't know what the blissed Mass manes. I'm almost glad I have no childer, to see how they're raired here. Indeed, sir, they're not raired at all,—they run wild. They haven't the fear of God or the saints. They'd hang a praste—glory be to God!—they would!"

Again hear the poor little flower-girl of Drury-lane, who at fifteen years of age goes with her sister to sell flowers in the rich quarters of London, whilst her brother works at a fruiterer's, where he gets from three to four pence a day. They are orphans: their father they never knew, and their mother is dead; but although young, they have been to a Catholic school. The two little girls buy their flowers at Covent Garden. They pay for the bouquets at the rate of a shilling a dozen; then they make three out of every two, and sell them at a penny each. Sometimes they are able to make out one or two more per dozen, but this is a rare case. They get the little ozier twigs, with which they tie up their bunches, for nothing; but the paper in which they wrap them costs a whole penny per dozen.

"..... The two of us doesn't make less than 6d. a-day, unless its very ill luck. But religion teaches us that God will support us, and if we make less we say nothing. We do better on oranges in March and April, I think it is, than on flowers... I always keep 1s. stock-money, if I can. If its bad weather, so bad that we can't sell flowers at all, and so if we've had to spend our stock-money for a bit of bread, *she* (the landlady) lends us 1s. if she has one, or she borrows one of a neighbour if she hasn't, or if the neighbours hasn't it, she borrows it at a dolly-shop (the illegal pawn-shop). There's 2d. a-week to pay for 1s. at a dolly, and perhaps an old rug left for it; if it's very hard weather, the rug must be taken at night-time, or else we are starved with the cold. It sometimes has to be put into the dolly again next morning, and then there's 2d. to pay for it for the day... We never pawned anything; we have nothing they would take in at the pawn-shop. We live on bread and tea, and sometimes a fresh herring of a night. Sometimes we

don't eat a bit all day when we're out; sometimes we take a bit of bread with us, or buy a bit. My sister can't eat tatars; they sicken her. I don't know what emigrating means. (I informed her, and she continued :) No, sir; I wouldn't like to emigrate, and leave brother and sister. . . . I think our living costs us 2s. a-week for the two of us; the rest goes in rent. That's all we make."\*

Not one of these children, adds the author, missed Mass on Sundays.

Many other examples might doubtless be added to those we have given; in which would be seen, as the London clergy have the consolation to witness them, those prodigies of firmness, of perseverance in well-doing, of modest heroism unconscious of itself, of noble and saintly devotedness, which by the strangest of contrasts are frequently to be met with in the most corrupted of quarters, and which do so much honour to the faith that inspires them, to the souls which produce them, to God himself who looks down upon them and blesses them.

But beside these examples of fidelity and of invincible steadfastness in faith and virtue, we have to set as a dark shadow to the picture more than one shameful defection, more than one degrading fall, more than one irreparable weakness. But too often the poor family which the Cork steamer has brought to London, and which enters the suburbs of the great city begging, imprudently allows itself to be circumvented by dangerous influences, before having recourse to the good advice and to the tutelary protection of the Catholic priest; it is carried away by the force of bad example, stumbles upon scandal, and falls.

Weeks and months pass by; and when by his vigilance, in one of his visitations, the pastor becomes acquainted with this family in the recesses of one of the Spitalfields courts, he learns with grief that it has been there a considerable time, and that great harm has been done to it. It has left off the regular frequentation of the church on Sundays; the scanty earnings of the week have been spent in gin-palaces; habits of idleness and drunkenness have been contracted there, which will not fail to become a slippery path towards more fearful depths; perhaps the instances of the "Bible-readers" have been already yielded to, and notwithstanding the last cries of conscience the children have for the sake of a few shillings been sent to the Protestant school: from this to apostasy there is but one step, and this step many have made. Certainly not that they embrace in mind and heart a doctrine repugnant not only to the faith of their youth, but also to the very instincts of their nature and to the wants of the Irish character; but if by an incredible

\* Mayhew, I. 136.

contradiction the heart still remains Catholic, under the cloak of apostasy, the efforts of proselytism are encouraged by this criminal weakness, it is emboldened in its enterprises against the conscience of the poor, and the faithful portion of the flock is saddened by the joy of its enemies.\*

These dangers are increased in the case of those Irish families which instead of settling down permanently in London change their occupation and place of abode according to the seasons. Thus, every year, in the month of August, a large portion of the Spitalfields population leave London, and make for the neighbouring counties, in order to work at the harvest. They thus pass two or three months in exclusively Protestant counties and before their return much harm has been done them, not to speak of the roving and mendicant habits which this kind of work easily engenders. Thus those who know the London Irish best very rightly remark that the population of Commercial Road, having steady work and fixed habits, is generally better than the floating population of Spitalfields, since it is at least beyond the perils inherent to a life of constant migration.

More serious dangers, however, arise from the seductions of immorality than from the efforts of Protestant proselytism. With the exception of those children who being sent to the Evangelical Schools unconsciously imbibe the influence of an anti-Catholic education, the Irish whom misery has momentarily driven into apostasy would not wish to die without being reconciled to the Church. It is almost unexampled for an Irish apostate not to call in the priest immediately he is conscious of danger. At that solemn moment, which dispels every illusion, silences all cupidity, swamps all human interest and banishes all human respect, the old faith of the poor Irishman asserts its empire. For twenty years perhaps he has not been inside his chapel, and he has sometimes gone instead to the Protestant one; he has carefully shunned the reproaches of his parish priest; and he has attempted to deaden with whiskey the terrible sting of his conscience: but death is at hand, and this edifice of iniquity crumbles away; alone in the midst of these ruins, the severe but encouraging voice of the religion of his youthful days is to be heard; and this poor soul, perhaps more weak than guilty, finds no peace until the respected habit of his ghostly father has reappeared within his sorry retreat, and has, in the name of Him who is all-mighty to pardon, restored to the unfortunate man his peace of heart and his hopes of eternity.

\* This is a faithful summary of the information we gathered at Spitalfields, at the Drury-lane schools, and from our French Sisters at Westminster.



We must not therefore however overlook the fact that the Irish Emigration to England and Scotland produces in many individual cases results which cannot be too deeply deplored.

But there also, as well as in America and Australia, through the economy of an admirable Providence, God makes use of these Irish emigrants in the propagation and extension of the faithful tribe of Catholics in the midst of English and Scotch Protestantism. What progress has not the Catholic religion made within the last thirty years! and might not the Catholics say to their separated brethren what Tertullian said to the Cæsars of the second century: "Our religious liberty is but of yesterday; and behold we fill your towns, your islands, your forts, your councils, your camps, your tribes, your decuriæ, the palace, the senate, the forum. . . . You have persecuted us during centuries, and behold we spring up afresh from the blood of the martyrs!"\*

At the beginning of the reign of George III., England and Scotland scarcely counted 60,000 Catholics who had remained true to the faith of their fathers. Their number in 1821 was, according to the official census, 500,000.† In 1842 they were estimated at from 2,000,000 to 2,500,000. At present they number nearly 4,000,000; and of this total the single city of London figures for more than 250,000.‡

\* "Hesterni sumus, et vestra omnia implevimus, urbes, insulas, castella, municipia, conciliabula, castra ipsa, tribus, decurias, palatium, senatum, forum. Plures efficitur quoties metimur a vobis. Semen est sanguis Christianorum!"—(Tert. ; *Apolog.* ; c. iv. and l.)

† *Du Mouvement Religieux en Angleterre* ; by Jules Gondon ; p. 44.

‡ These figures are only approximate. The English census for 1861 makes no distinction of religious denominations. At London the annual average of baptisms in the Catholic churches was, for the years 1858, 1859, and 1860, 8,549. According to government estimation each baptism represents thirty inhabitants; and Irish families being generally very numerous, this figure would probably be rather below than above the truth. However this may be,  $8,549 \times 30$  gives 256,470; this would be the amount of the Catholic population of London. The greater part of the Catholics are Irish. The following are according to the information put at our disposal with the most obliging kindness by Dr. Grant, Bishop of Southwark, a few detailed statistics of the Catholic population of several towns in England and Scotland. (These figures have however no official character) :—

	Total number of Catholics.	Number of Irish.
Manchester . . . . .	80,000 . . . . .	60,000
Liverpool . . . . .	130,000 . . . . .	85,000
Birmingham . . . . .	30,000 . . . . .	20,000
Preston . . . . .	24,000 . . . . .	4,300
Wigan . . . . .	18,000 . . . . .	16,000
Bolton . . . . .	12,000 . . . . .	4,000
St. Helens (Lancashire) . . . . .	10,000 . . . . .	6,000
Edinburgh . . . . .	50,000 . . . . .	35,000
Glasgow . . . . .	127,000 . . . . .	90,000

Finally we must not forget that about one-half the army and navy is composed of Irish Catholics.

Up to the year 1840, there were in England only four Apostolic Vicarships. Ten years afterwards (1850) the glorious Pontiff now reigning re-established at least in England\* the regular hierarchy, and grouped around the Metropolitan See of Westminster in an imposing province twelve suffragan Bishoprics.

In 1792, England and Wales counted no more than 35 chapels; in 1840 the number amounted to 500, amongst which are vast and splendid churches, such as St. George's Southwark, and the Birmingham Cathedral.† At present the number is nearly 1,000.‡

In 1843, there were in England 648 missionary priests, 9 Colleges, and 27 Monasteries or Convents. Now the number of priests is 1,200;§ of religious communities of men 57, of women 153. In the single town of Manchester there are at present more Catholics than there were in the whole of England under George III. Of these more than three-fourths are Irish.

In connexion with the movement of individual conversions, which yearly brings into our ranks from those of Protestantism the most upright the sincerest and best disposed souls, the Irish Emigration to England is then destined to play an important part in the so desirable return of that great island to the faith which she received in the sixth century from St. Gregory the Great and St. Augustin of Canterbury. That faith, a short time ago proscribed, but yesterday scarcely tolerated, sees its conquests daily multiplying, and its empire extended; that Church has scarcely emerged from the catacombs of persecution into which the bloody edicts of Elizabeth had driven it,—and now, thanks to the share of liberty which it enjoys, greater in that Protestant country than in some which have never ceased to be Catholic, it is daily gaining ground, to the gain of truth and justice; it is dispelling by degrees the prejudices of ages; it is triumphing by its charitable institutions, by the zeal of its apostles, and by the not unfrequently heroic constancy of its

\* The Vicarships Apostolic still continue in Scotland. They are three in number. (Eastern, Western, and Northern Districts.) England counts one Archbishopric, (Westminster, substituted for the ancient primatial see of Canterbury), and twelve suffragan bishoprics: (Southwark, Hexham, Beverley, Liverpool, Salford, Shrewsbury, Newport, Clifton, Plymouth, Nottingham, Birmingham, Northampton.)

† The poor Irish Catholics of Commercial Road, of whom we have spoken above, have just finished building a magnificent church. It has cost £26,000. This enormous sum is the product of penny subscriptions continued during the last twenty years. They are really the poor who have built this church, with the fruits of their savings and their privations.

‡ Together with Scotland 1,019.

§ Precise number including Scotland, 1,388.—(*Cath. Direct.* ; 1862, p. 343.)

faithful, over the antipathies of its adversaries and the ill-will of its contradictors. Are we not thus visibly progressing towards that complete reconciliation of England with the truth, which Bossuet presaged, and which was but lately hailed with rapture and emotion by the voice of another great bishop?\*

## CHAPTER XI.

### ECONOMICAL AND POLITICAL CONSEQUENCES OF EMIGRATION.

AFTER having attempted to sketch the moral and religious results of Irish Emigration, it remains for us now to estimate its economical and political consequences.

Whilst we still firmly maintain that under other social conditions, with a better system of management of land, and especially with more equitable relations between those who possess and those who till the soil, Ireland could with ease at the time when her population was greatest have supported all her inhabitants;—whilst strongly and indignantly protesting against the egotistical views of those who dare to say that Providence made a mistake in allowing to be born on the banks of the Shannon and Liffey those thousands of men who escape misery and death only by going to colonize the plains of the St. Lawrence and the fertile valleys of the Oceanic colonies;†—whilst affirming with Mr. Cobden that when emigration arises from the necessity of fleeing legal famine,‡ it is no longer *Emigration* but *Transportation*,—and with John Stuart Mill that a government is judged and condemned when its subjects can find no room to live in the country of their birth;§—we may nevertheless accept the fact that this considerable displacement of men has not been for nothing in the material improvement which has been made during the last ten years in Ireland. Fewer hands to employ, and fewer mouths to feed,—such have in several counties been the cause of a rise in wages

\* See the conclusion of the sermon preached at St. Roch, March 25, 1860, in favour of these poor Irish, by Mgr. the Bishop of Orleans.

† The *Times*, 22nd Feb. 1847: "Remove Irishmen to the banks of the Ganges, or the Indus, and they would be far more in their element *than in the country to which an inexorable fate has confined them.*"

‡ And for a long time this was the only motive which acted upon numbers of Irishman.

§ *Principles of Political Economy*; I. 381.

and a decrease in public poverty.\* The departure of millions of men for other continents has left more room in the sunshine, and a more abundant share in the goods of the earth, for those who remain. As to the emigrants, all assuredly have not made their fortune; and the dreams which induced many to leave for ever their family and the land of their birth soon gave way before the stern reality. Still, looking in a general way at the future which they have opened out for themselves by their bold determination, it must be admitted that the attempts at colonization made by the Irish in America have largely compensated the greater part of the emigrants for their sacrifices. Nay, a certain number of them have already attained even the highest positions in American society.†

Their labour, instead of going as in Ireland to swell a fortune of which nothing comes back to them, has the immediate effect of increasing the well-being and comfort both of themselves and of their families. They grow wealthy, but not like those *parvenus* whose prosperity chills the heart; they know how to use their riches without avarice or grovelling cupidity; we have seen how large a share of that wealth, the fruit of simple toil and bought by the most painful of sacrifices, is devoted to the wants of parents and friends left behind in Ireland, victims to the poverty which would seem to be inherent to that island. Thus they are not themselves the only ones to profit by their successes; and hence perhaps Emigration will of itself supply the remedy destined to mitigate and heal the wounds inflicted by its excess on Ireland.

An appreciation of the political results of this movement is a much more delicate and conjectural matter. It is however impossible that this ever flowing tide which is carrying out

\* Weekly Average of Wages, in several counties of Ireland, according to the Official Report published by order of the House of Commons, March 8, 1861; (!)

COUNTIES.	Men.		Women.		Children.	
	s.	d.	s.	d.	s.	d.
Roscommon (where wages are at the best)	10	0	5	0	4	6
Dublin, . . . . .	8	6	4	11	3	9
Galway, . . . . .	6	6	3	7	2	5
Waterford (where wages are lowest)	4	6	2	9	—	

During the harvest time, that is for about six weeks, wages double in some counties.

It will be seen by these figures that supposing wages to have increased within the last ten years, this increase is neither so general nor so great as was supposed before the publication of this Report.—(House of Commons; March 8, 1861.—Motion of Lord Dunkellin, Member for Galway.)

† Smith O'Brien's *Lectures on America*; p. 13.

from Ireland to America a Catholic population deeply sensible of English oppression in Ireland, should not finally alarm the very men who at the commencement of that movement were loudest in their self-congratulations. That the Celts, with their ever despised religion, make room in Ireland for the Saxons and their State Church; that this Church,—which during the last three hundred years has been the object of the most persistent and energetic protests, even on the part of her followers,—should live to see opposition trodden down, and herself enjoying the unjust possession of the spoils with which she has enriched herself;—that all this should be a subject of great joy to Exeter Hall meetings we can conceive. But beside the naïve and unreflecting enthusiasm of fanatics, there are also preoccupations and cares for politicians. After all, it is useless to disguise the fact; a Catholic Ireland is rising up beyond the seas in the bosom or by the side of the United-States' Republic, which cherishes for England but the most bitter memories, and feels for her but the deepest enmity. What will come of this in the Future? Will not the joy consequent upon the Celtic Exodus end in dark morrow?

If this movement continue,—said the *Times*, in a very curious article, on the 4th of May 1860,\*—Ireland will become altogether English, and the United States Republic altogether Irish. Yes, the time may come when Ireland will be no more Celtic than the Lowlands of Scotland are Saxon, the Eastern Counties Danish, Cornwall Phœnician, or Ireland itself Milesian or Spanish. But it is impossible that some millions of pure Celts should be sent into the United States without introducing in more considerable proportions an element of a very special kind, that is to say more of poetry, more of eloquence, more of fanaticism, more of a factious and conspiring spirit, more rancour, more murder,† more insubordination, more of that narrow policy which is inherent to the character of the race. . . . There will then be again an Ireland, but a colossal Ireland, and an Ireland placed in the New World. “We shall only have pushed the Celt westwards;”—ceasing for the future to be imprisoned between the Liffey and the Shannon, he will spread from New York to San Francisco. . . . “*We must gird our loins to encounter the Nemesis of seven centuries of misgovernment.*—To the end of time a hundred millions of people,

\* This article is entitled *The Irish Exodus*.

† The official criminal statistics (quoted *ante* p. 71, &c.) sufficiently show that it scarcely becomes the English to reproach the Irish with a spirit of *homicide*. Greater tact would have been evinced had this point been passed by in silence, and a comparison left untouched in which according to their own avowal the English have nothing whatever to gain.

spread over the largest habitable area in the world, and confronting us every where by sea and by land, will remember that their forefathers paid tithe to the Protestant clergy, rent to absentee landlords, and a forced obedience to the laws which these had made." And even though the rancorous Celt were to forget and forgive, that will not prevent the sure development of an intractable race, and the introduction of intractable elements into the character of the great American nation. It will be more than half Celtic. Doubtless the Saxon, Danish, French, German, African, and other races besides will be found in it; but *the preponderating race of all will be that one which has attained the climax of its perfection and its glory on the banks of the Seine, and which has been precipitated into the deepest abysses of degradation and despair on the western shores of Ireland.* So we shall have nourished and brought up, by us, at home, a power which is called to rule over the New World, to extend its influence over both the oceans, and to become the master of an entire hemisphere. This New World is the true and final home of the Celtic race. It is for this home that it has travelled and suffered for two thousand years; it is for this that it has never planted itself solidly and as a civilized people in a land which was not destined to be its habitation. But what will be the reaction of these events upon the metropolis, [London,—England,—]? Doubtless riches and the resources of industry will still continue to encrease among us. Mechanism will supply the work of men's hands; we shall see an increase in feet and hands of iron, slaves that know neither love nor hatred, made expressly for cold masters like us, slaves who will not run away, and who will never ask of us either kindness or justice. It is thus that at last we shall perhaps attain in these islands, if our neighbours will but let us alone, that peace for which we have been sighing so long. "We are throwing off agitators and repealers, socialists and perhaps reformers; old England turns itself on its bed and expects another slumber. But its own morbid growth of idleness, luxury, pride, and vice, it cannot so easily get rid of. They must grow upon it, all the more from the absence of the more violent annoyances that but lately formed the staple of its domestic annals."

So, the *Times*.

What grounds are there for these forebodings, and for these fears, as selfish as the hopes with which they are coupled? The Saxon congratulates himself on the disappearance of the Celtic race, in the oppression of which he has squandered his gold, his blood, and his honor; he rejoices at seeing the clearance of that focus of discontent and rebellion on which the

fire of his jealousy and injustice was unceasingly concentrated; the Irishman will at least leave him a clear field; and the agricultural, industrial, and commercial monopoly, to become possessed of which he has left no means untried, will for the future be his without a contest; silence and peace are at last about to succeed to the struggles and bickerings which have lived on for ages.

Is not this however a terrible victory? Whilst England, lulled to slumber in a false security, no longer warned by the struggles and indomitable opposition of an oppressed people, shall be eaten up by her pride and consumed by her thirst after material enjoyment, will not that Catholic and Irish empire which the Emigration movement is forming beyond the seas, be constantly preparing, by a secret destiny, the terrible retribution of seven hundred years of persecution?

If so, the great law of the moral order, the realization of which we daily see in the life of individuals, and which bears the stamp of divine wisdom and equity, would but be verified. To chastise a man or a nation for his, or its, crimes, nothing is needed beyond these crimes themselves:\* in their sad fruitfulness they bear their own punishment; and by falling back upon their author, they make him feel that the order established by God, whether for the conduct of individuals or of nations, is not to be violated with impunity. Evil as well as good produces in the future, for those who have wrought it, inevitable consequences. In order to punish men and governments for their excesses, their cupidity, and their bad passions, God has but to stand apart and let things take their course. Ages do not roll by before the world has witnessed some great and solemn reparation, destined to strike down the pride of some, to crown the faith and patience of others, and to make manifest to all the imprescriptible laws of a Providence in which are coupled, by a divine accord, infinite mercy and infinite justice.

\* “Per quæ peccat quis, per hæc et torquetur.” (Sap. : xi. 17).

## BOOK THE FIFTH.

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# DESTITUTION.

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### CHAPTER I.

#### THE POOR OF THE TOWNS.

AFTER having followed beyond the seas those thousands of Irishmen for whom Ireland seems to be too small,—that is those who abandoning the idea of walking in a path without exit, and of spending their vigour upon insurmountable obstacles, determine to seek afar a new country and the chance of a less desperate future,—there remains a painful task for us to perform.

It is a fact that among the agricultural families driven out of their little holdings by farm consolidation, large numbers find emigration impossible: sometimes the family is too numerous to make for America, and cannot command the resources necessary for the voyage; and sometimes age and infirmity stand in the way of an undertaking for which boldness and vigour are indispensable.

Many attempt to protract the struggle, and to remain in the country; whether by finding a strip of marsh or bog land to cultivate, when possible, or by hiring themselves out as farm labourers.

Others make for the suburbs of the most populous cities, and attempt to eke out a livelihood in those wretched and ephemeral callings which are but too frequently inseparable from vagabondism and mendicancy.

At last when all struggling is at an end, when the last resources are exhausted, when poverty with freedom is about to end in certain death, they are obliged to have recourse to public charity: the Workhouse is as it were the term of that cheerless career of suffering and trial which so many thousands of families have to traverse. Let us study as closely as possible the condition of these unfortunates.



The destitution of the Irish people has we are well aware long been a hackneyed theme. So much has been written, so copious have been the dissertations on this subject, especially at the time of the great famine, that nothing can be said which is not already known. Would to God, however, that in becoming commonplace this subject had ceased to be a living reality! Happy the historian who undertaking to dwell upon the harrowing details of this misery should have the consolation to be able to add that its existence is confined to books; and that if it may still lawfully call for the researches of the learned, it is no longer a matter of grief to the politician of to-day!

We trust we shall say nothing upon this painful question which may overstep the limits of the most rigid exactness. If the necessities of history oblige us to speak of the Ireland of other days, we cannot forget that our object is to give an exact idea of Ireland *as it is*. It is not then the memories of the past which we shall awake in order to offer the reader an idea of the poverty and wretchedness of the present day in Ireland; but facts witnessed but yesterday by ourselves, and facts which will certainly occur again to-morrow.

For the rest, and to be precise in this matter so as to obviate all misunderstanding, it will suffice to distinguish with care the different periods; it will thus be easy to allow a certain relative progress to the present state of things. On one side of the question it is beyond a doubt that absolute poverty is to-day neither so general nor so absolute as it was thirty years ago; but, notwithstanding this relative progress, what sufferings and what privations are there not still in existence, and that in these very years which we have just left behind, and in which we are still living, in 1860, 1861, 1862. To pass over such facts in silence would be to betray alike the cause of charity and of truth. \*

\* It was long ago remarked by M. Gustave de Beaumont that in Ireland a certain relative progress was perfectly compatible with the continued existence of pauperism among the lower classes. This observation is too important, and the evidence of M. de Beaumont too decisive, to permit us to omit his own words; words so totally forgotten since, in all the discussions which have arisen touching the real condition of Ireland.

"One single cause suffices to explain why the agricultural population becomes poorer, whilst the prosperity of the rich is on the increase: it is that all improvement in the land is profitable solely to the proprietor, who exacts more rent from the farmer in proportion as he works the land into a better state. If rents are doubled, the land may produce double its usual amount without effecting any change in the condition of the tenants. *The question is not what the population produces, but what it consumes; not what it pays to landlords, but what it gains for itself by the produce of the soil. It is for want of making this distinction that so many contradictions are fallen into upon this point.*" (Vol. II. p. 311.)

On his arrival in Dublin, the first impression of the newly-arrived traveller is an extremely painful one, and many days are required to surmount it. Whether he come from Germany, England, or France; whether he be Protestant or Catholic; it is impossible for him not to be very painfully affected at the sight of the unfortunate barefooted and ragged creatures whom he meets with at nearly every step, even in the busiest streets and wealthiest quarters, of the Irish Capital. This destitution may or may not be attributed to different causes; to deny its existence is out of the question. Protestants are pleased to see in it the result of Catholic institutions and usages. They make pleasant comparisons between the rags of Naples and those of Limerick; and keeping out of sight what goes on in the low quarters of Liverpool, and the East of London, proudly set off the well-being the carriage and the prosperity of Protestant nations against the degradation and misery of the Irish and the Neapolitans. The English, in particular, explain away much to their own satisfaction the destitution of Ireland by putting it down to idleness and drunkenness, and never represent to themselves the Catholic Celt otherwise than in rags with an outstretched hand. Others would perhaps look for the secret of so extraordinary a poverty in causes more remote and less personal. Whatever may be the divergence of opinion with regard to the causes of this destitution, still the destitution itself escapes no one. Whoever has set foot on Irish soil, has seen the sorrowful spectacle;—to see it, it suffices merely not to shut one's eyes; to be profoundly afflicted at it, it needs but to have the heart of a man.\*

The Venerable Archbishop of Dublin, the Most Rev. Dr. Cullen, wrote a few years ago to Lord St. Leonards, depicting in eloquent terms "the wretchedness and destitution of the Dublin poor."†

But recently again, in a pastoral letter of the 27th of No-

\* A German Protestant, Dr. Julius Rodenberg, who visited Ireland at the same time as the author, begins his account by expressing his astonishment at the sight of Ireland's poverty, such as it appeared to him in the streets of Dublin. (*The Island of the Saints*; London, 1861; p. 1, 8, 9, 24, 30.) As to the principal causes of this destitution, his Protestant prejudices in nowise hinder him from stating them very clearly: "You are in a country whence people emigrate by thousands, while fields of such an extent and power of production as would support them all, lie fallow," (p. 8) . . . "The Irish are strangers in their own land, their own houses, their own sanctuaries; they feel themselves to be strangers, and speak English as strangers [foreigners]," (p. 9). (See also his description of the poor of Limerick: ch. x; p. 201).

† "Were your lordship to visit some of the ruined lanes and streets of Dublin, your heart would thrill with horror at the picture of human woe which would present itself."—(Dr. Cullen's *Letter to the Rt. Hon. Lord St. Leonards*, 21 Nov., 1857.)

vember 1861, the same prelate recalled to the minds of the faithful of his diocese the strict obligation incumbent on them of coming to the assistance of those "tens of thousands of human beings, destitute of all the comforts of life," who are to be met with at every step in all great towns and cities.\*

For the rest, in order to come at a just idea of this destitution one must not content oneself with what one may see in the streets or in the great thoroughfares; those quarters must be penetrated into whither the curious so rarely turn their steps, but the lamentable secrets of which are so familiar to the zeal and charity of the Dublin clergy.

The poor quarters of Cork, Limerick and Drogheda, present the same spectacle, and justify the sad proverbial celebrity of Irish rags. Dirt, negligence, and want of care, doubtless, go a long way in giving to destitution in Ireland its repulsive and hideous form; but who is unaware that continued and hopeless destitution engenders as of necessity listlessness and carelessness, and that to enter upon a struggle with poverty, there must be at least some chance of carrying off the victory? Without this condition man but too frequently lays down his arms, and speedily loses all activity and energy; he submits to destitution as to a fatal force which it would be absurd to withstand; he surrenders to it a thousand details of life which if he had greater courage he might still save from its disastrous influence.

It is not without some foundation, then, that English Protestant writers reproach the Irish with complacency in dirt and slovenliness; they are right, when looking at the whiskey-shop they ask what has become of the pence which prudently laid by would every week allow one to buy a pair of shoes, another to get his clothes mended, and the majority not to offend the sight of the passers-by by appearing in shapeless and nameless rags. But these same critics are blinded by prejudice and fanaticism when they hold Catholicity responsible for so deplorable a state of things. On the contrary no one is ignorant of the fact that the influence of the Catholic clergy with the faithful daily tends to mitigate and change it; that the enlightened and ever respectfully received advice of their pastors is gradually introducing among even the poorest families habits of order and cleanliness hitherto

\* "Unhappily we have before us, even in the great towns and cities, tens of thousands of human beings destitute of all the comforts of life, oftentimes barefooted, without food, and without raiment. If you enter the wretched abodes where they live, you will find that they have no fuel, that they are unprovided with beds and other furniture, and that, generally, they have not a single blanket to protect them from the cold."—(*Pastoral Letter* of Mgr. Cullen, Archbishop of Dublin, 27 Nov., 1861.)

unknown; that the visits and cares so well understood and carried into practice by the Society of St. Vincent de Paul have already wrought wonders on this point; and that, in fine, if the Venerable Father Matthew\* no longer travels from town to town and from village to village to snatch from drunkenness the victims which are usually hurried into it by misery and despair, his work has survived him, and Temperance Societies still continue to call upon the people for sacrifices† of the merit and difficulty of which no idea can be formed by those classes of society in which luxury and sensuality in living are on a par with the sumptuousness of their houses, their furniture, and their garments.

For the last ten years there has been taking place in the large cities an accumulation of poor as fatal to their health as to their morality. They are mostly country people whom eviction has driven in from the country, who have been unable to emigrate, and who were unwilling to shut themselves up immediately in the Workhouses. The resources they procure for themselves by doing odd work are so completely insufficient that it is impossible to be surprised at their destitution.

The Census Commission of 1841, with a view to give a precise notion of the state of the working population both in town and country, divided the inhabitants into four classes. The last comprised all those families in which the father, mother, and children, of whatever age or sex, have but one room, or even in certain cases a portion of a room occupied already by another family. At that time the proportion of families obliged to live in that manner was:

For the rural population	83	per 100.
„ town „	70	per 100.
Average	76	per 100.

There is no doubt that as far as concerns the rural population these proportions are considerably reduced; since what has disappeared under the stroke of eviction and farm-consolidation are precisely the most wretched of the small cabins. We do not however believe that a similar change can be stated as having taken place in the dwellings of the town poor. The last Census is silent upon this point; but a very recent work, published by Mr. Nugent Robinson, upon the dwellings of the

\* As to the work so well accomplished by this holy friar, see the book entitled: *Du mouvement religieux en Angleterre*, by M. Jules Gondou; ch. vii.; p. 201-221.

† One day we saw in a public thoroughfare of Limerick, a poor man go on his knees before the Catholic curate with whom we were visiting the poor quarters of the town, and make the formal promise. It was that of the temperance pledge *for life*.

Dublin poor, puts us in a position to affirm that their sanitary condition is such as loudly to call for the intervention of the administration. Mr. Robinson estimates at 8000, (that is a third of the total number), the houses in Dublin which are let out by rooms to the labourers and the poor; and at 64,000, (out of a population of 250,000), those who inhabit these sort of houses. Situated for the most part in the recesses of dark alleys, and of narrow and damp courts, these dwellings are unhealthy; and the poor are huddled together in such numbers in the rooms of these houses that it is impossible that grave mischief should not thereby occur to health, and even to morality.\*

This state of things most frequently arises from the cupidity of the proprietors and of the lodging-house keepers, whose aim is to get the greatest possible amount of money out of the smallest space, and who constantly pack together without scruple five, six, or seven persons, where three only could live with anything approaching to ease. As moreover these poor people fear nothing so much as being turned out, they endure patiently any kind of conditions, and think themselves but too happy in having a shelter for the night, however wretched and unhealthy.

The *Liberties*† of Dublin, certain quarters of Cork, that

\* We subjoin a few figures borrowed from Mr. Nugent Robinson's work :

	Number of lodg- ing houses.	Number of rooms.	Number of beds.	Number of persons.
Cole-alley . .	33	171	124	915
Pimlico . .	28	130	159	424
Elbow-lane . .	13	47	66	191
Engine-alley .	24	75	128	307

(Quoted in the *News* of Jan. 31st 1862.)

† This name is given to a certain quarter of the south-west of Dublin, between Francis-street and the Grand Canal Docks. This quarter, which in the eighteenth century enjoyed extensive privileges, was formerly chiefly inhabited by Protestant families of French origin, driven out of France by the Revocation of the Edict of Nantes, artizans working principally in Silk and Wool. This population amounted to about 40,000 souls. 3400 spindles and 1200 silk looms were in full activity when the breaking out of the French Revolution of '89 first grievously injured these trades, and the Irish Rebellion of '98 gave them the death stroke. At that time it was the quarter of the rich merchants; it has since become the town of the poor; and the announcement that the *Liberties* were coming down into the town, has produced much the same sensation in Dublin as did in Paris and Lyons, during the revolution, the mere mention of the faubourgs Mouffetard and Saint Antoine, or of the workmen of the Croix-Rousse. The inhabitants of the *Liberties* are the most wretched it is possible to conceive. "In these holes the most wretched and pitiable labourers imaginable live; they often lie by hundreds together on the bare ground."—(Rodenberg; *The Island of the Saints*, p. 30.)

portion of Limerick called the Irish town,\* and the suburbs of Drogheda, give us a fair idea of the places in which are packed together the poor families who have been torn violently away from the labours of the fields.

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## CHAPTER II.

### THE FOOD OF THE PEASANT.

“IRISH destitution,” said M. Gustave de Beaumont,† “forms a genus apart: it is like no other destitution.”

In fact the leading features of this destitution, that which gives it a distinct place in the family of human miseries, is the fact that it strikes at man for the most part directly in the most imperative of all his wants, in that one the satisfaction of which is most important for the preservation of his life. Hunger: that is the terrible form in which destitution has always attacked Ireland. So long has this scourge afflicted that unfortunate country that it has become an element of her normal state; so that in order to characterize the different degrees of intensity with which it rages among its numerous victims, expressions, fortunately unknown to the other christian and civilized peoples of Europe, have had to be invented. In Ireland it has been necessary to distinguish death by *quick* and death by *slow* famine.‡

It is usually only in times of famine, properly so called, that the Irish die of “quick” hunger, that is to say in absolute want of all food; but even in ordinary years the number of those who suffer from *slow* hunger, that is who have not sufficient to eat, is always very large.§

Up to the time of the great famine the only food of the peasantry, in all parts of Ireland indiscriminately, consisted of potatoes. A very inferior kind, called the *lumper*, was pretty generally used since the beginning of the present century. Upon its first introduction it was scarcely looked upon as proper food for pigs. It possesses, in fact, neither the farinaceous

\* “In Irish town the poor reside in ill-built, badly ventilated, filthy hovels.” (Black.—*Picturesque Tourist*, &c. p. 200. Rodenberg, p. 200-201.

† Vol. I, p. 218.

‡ *L'Irlande*; by MM. Chavanne de la Giraudière, et Huillard-Bréholles; p. 230.

§ In order to spare people the trouble of accusing us of deceiving the reader, by giving him as an exact representation of the present state of things a worn-out picture of bygone misery, we beg to refer our readers to the Appendix for an Historical Summary of what we term the constant *transmission* from generation to generation of destitution in Ireland.

qualities of the worst kind of ordinary potato, nor the flavour of any other; it is clammy and tasteless, and less nourishing than the Swedish turnip. Scarcely however was it introduced before it was immediately used for the food of men; because it gave more abundant crops, required less care in cultivating, and grew well in bad soil.\*

The official report of the Census of 1851 stated that famines had become more frequent since potatoes had become the sole food of the people. At this no one can be astonished, for, on the one hand, potatoes will not keep from year to year, and consequently in years of abundance no provision can be made for times of scarcity; and on the other hand, the transport of this vegetable is difficult, and entails expenses which its low value will not cover. Thus districts in which the crop has been good find it next to impossible to come to the assistance of those in need.†

Under this exclusive and unsatisfactory system scarcity was periodical. It usually began every year towards the end of April, the time at which the last year's crop becomes bad, and lasted until the end of August, that is the time of the new crop.‡

The cruel experience of the years 1846 and 1847 has not been lost; efforts, generally crowned with success, have accustomed the Irish peasant not to count exclusively upon potatoes. In 1847, by the efforts of the English government and thanks to the offerings of the whole world, a considerable quantity of maize was sent to Ireland; the peasantry became used to make this flour enter into their ordinary food; and by this happy substitution they were enabled, at least in the Eastern and Southern counties, to get through the bad years without being necessarily obliged to die of hunger.

In Ulster, especially, the peasantry are better fed within the last ten years. To maize they add the colonial corn stuffs, which are carried down by rail even to the small villages. Hence there is an amelioration in the nourishment of the agricultural classes of that province which is producing satisfactory results on the general health of the community.

In certain other counties also a considerable improvement is spoken of. Formerly the Irishman eat meat only two or three times a-year, at Christmas, Shrovetide and Easter; and in the greater number of families this treat was confined to Christmas Day. The use of meat has become much more common within

\* Railway Commissioners' Report; (*Edinburgh Review*, Jan. 1848.)

† *Selections from the Evidence received by the Poor Irish Enquiry Commissioners*; p. 225.—M. de Beaumont; Vol. I, p. 360.—Blue Book, *Census of 1851*.

‡ M. de Beaumont; I., 362.

the last ten years; at least among those tenants who have humane and equitable landlords, and who, after having satisfied their obligations, can turn to the profit of themselves and their families the fruits of their harvest and the produce of their little homesteads.

This progress is however far from general. There are still, among the boggy regions and mountainous districts of the north-west whole populations to whom the loss of a potato-crop is the inevitable forerunner of scarcity and of unspeakable suffering.

Therefore, when such enchanting pictures of Ireland's prosperity are drawn, it would be but right, in the interest of truth, to note where painful exceptions are to be found. The Irish peasantry, considered as a body, are not, and we have to bless Providence for it, now reduced to that frightful misery which weighed upon them uninterruptedly for such a number of years, and which threw all Europe into consternation by disasters unparalleled in the middle ages. But if this scarcity is now but of a partial and local description, it still continues to be periodical, and to bring with it a train of incredible privations and of the most cruel of sufferings.

What continues to be always true is this: that wherever tenants are crushed under the burthens imposed upon them under the existing land system,—wherever the stupid abuse of the rights of property obtains,—those who cultivate the land are in a deplorable state of destitution and ignorance; and wherever on account of the difficulty of communication the use of maize and of colonial produce and especially of meat is as rare as in past times, there the daily living of the Irish peasant is supremely wretched, and far inferior to that of the poorest of our day labourers in France.

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## CHAPTER III.

### RURAL DWELLINGS.

THE destitution of the agricultural classes in order to be rightly appreciated must be seen in the boggy and mountainous regions of Munster, of Connacht, and of the Western portion of Ulster. There alone can one comprehend the fact that a week's rain is sufficient, by rotting the potato crop, to bring about a famine immediately, and so reduce the population to the last extremity.



The ordinary dwelling of the small tenant or of the day labourer in that part of Ireland answers with the utmost precision the description given of it twenty years ago by M. de Beaumont: "Let the reader picture to himself four walls of dried mud, which the rain easily reduces to its primitive condition; a little thatch or a few cuts of turf form the roof; a rude hole in this roof forms the chimney,—and more frequently, there is no other issue for the smoke than the door of the dwelling itself. One solitary room holds father, mother, grandfather and children. No furniture is to be seen; a single litter, usually composed of grass and straw, serves for the whole family. Five or six half naked children may be seen crouching over a poor fire. In the midst of them lies a filthy pig; the only inhabitant at his ease, because his element is filth itself. The presence of the pig in the dwelling would at first sight look like a sign of misery; on the contrary, it is actually indicative of a certain degree of ease, and it is in the cabin where he is *not*, that the indigence is indeed extreme."\*

Into how many dwellings of this kind have we not penetrated ourselves,—especially in the Counties Kerry, Mayo, and Donegal,—more than once obliged to stoop down to the ground in order to penetrate into those cabins, the entrance to which is so low that they look more like burrows of beasts than dwellings made for man! How often, too, after having in vain tried to stay in them a few minutes, have we been obliged to give up the task, driven out by the smoke which suffocated us! In fine, how great was our astonishment to come in September 1860, more than twenty years after the second journey of M. de Beaumont, upon the very destitution so eloquently described by him in 1839!

When a tenant gets a strip of land to till, his first care is usually to build himself a cabin. Upon the road from Killarney to Grenagh, in the vicinity of those beautiful lakes which in a few months were to be visited by Queen Victoria, at the entrance of those parks† to which, for extent and richness, neither England nor Scotland can probably offer anything equal, have we seen those dwellings. A few branches of trees interlaced and leaning upon the slope in the road, a few cuts of turf, and a few stones picked up in the fields, compose these wretched huts,—less spacious and perhaps less substantial than that of the American savage.

In the County Mayo the dwellings of the peasantry are still more wretched, and especially more unhealthy. Built in the

\* Vol. I., p. 216.

† We speak principally of the immense estates of Lord Castlerosse [Lord Kenmare] and Colonel Herbert, who own the shores of the three lakes.

midst of the bogs, and covered with pieces of turf of a dark colour, they can scarcely be distinguished from the rest of the bog in which they stand. To prevent the water from making its way into them is next to an impossibility. It enters from above and from below, and keeps the wretched cabin wet as long as the rain lasts. During storms, and when the west wind sweeps furiously over these desolate regions, the inhabitant of these bogs is to be seen actually putting a few heavy stones upon the roof, in order to prevent the gust from carrying away and scattering his only shelter.\*

In the peninsula of Erris the destitution is the same. The ruins upon which the traveller lights at every step attest that during the last ten years a large number of families have disappeared. As to the cabins which are still left standing, they are precisely what the German traveller Kohl, and the charitable agents of the Society of Friends, described them to be some fifteen years ago.†

Scarcely two months ago, the correspondent of a Protestant Dublin paper, on a visit to these regions to enquire into the condition of the peasants made the following sketch of it, which is but the faithful echo and the reproduction of all the descriptions made within the last half century.

The inhabitants of Erris,—says he,—appear to be the most wretched of all human beings. Their cabins, their patched and tattered clothes, their broken down gait,—every thing bears witness to their poverty. Their beds consist of a few bits of wood crossed one upon the other, supported by two heaps of stones, and covered with straw: their whole bed-clothes a miserable worn out quilt, without any blankets . . . . But there is nothing in Ireland like the habitations which the people of this village of Fallmore‡ have made for themselves, who have been evicted by Mr. Palmer. They are composed of masses of granite picked up on the shore and roughly laid

\* Road from Castlebar to Belmullet, by Crossmolina and Bangor. It would be difficult to find a wilder or more forbidding looking country, especially when seen during one of those formidable tempests which the winds and currents from America bring across to Europe.

† “Let the traveller look where he is going, however, or he may make a false step, the earth may give way under his feet, and he may fall into—what? into an abyss? a cavern? a bog?—No into a hut,—a human dwelling-place, whose existence he has overlooked because the roof on one side was level with the ground and nearly of the same consistency . . . . The wall of the bog often forms two or three sides of it, whilst sods taken from the adjoining surface form the remainder, and cover the roof. Window there is none; chimneys are not known; an aperture in front, some three or four feet in height, serves the office of door, window, and chimney;—light, smoke, pigs, and children, all pass in and out by this aperture.”—(James H. Tuke’s *Account*—Society of Friends.)

‡ The ruined village alluded to *ante*, p. 126.

one by the other. These cabins are so low that a man cannot stand upright in them; so narrow that they can hardly hold three or four persons. In endeavouring to make my way into one of these indescribable dwellings, I struck my head so rudely against a rock that I was obliged to give up my examination of this new scene of destitution.\*

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## CHAPTER IV.

### THE DISTRICT OF GWEEDORE.

ON the north-east coast of the Province of Ulster, in the County of Donegal, bounded on one side by a barrier of high mountains and on the other by the ocean whose waves are nearly always agitated by the tempest, there lives a population almost unknown to the rest of Ireland. As the traveller advances into this country nothing meets his eye from afar but a desolate and mournfully monotonous region. Not a tree, not a green branch, not a meadow to rest the eye; in every direction nothing is to be seen but a gloomy desert of bog and mountain, nothing is heard night or day save the roaring of the waves.

Gweedore is the name of this district; which has in these latter times become so sadly renowned for the extraordinary sufferings of its inhabitants.

A few years ago a large part of this region passed into the hands of new proprietors. Radical changes were effected in the land system; and the population which had hitherto lived peacefully and unknown behind its rugged hills was suddenly plunged into frightful distress. The clamour consequent upon this distress reached even Parliament, and there gave

\* *Saunders' News Letters' Special Correspondent*; (Jan. 1862). In what do the terms of this description differ from those used twenty years ago by the Devon Commission to characterize the destitution of the agricultural classes? "The agricultural labourer of Ireland continues to suffer the greatest privations and hardships; he continues to depend upon casual and precarious employment for subsistence; he is still *badly housed, badly fed, badly clothed*, and badly paid for his labour. Our personal experience and observations during our inquiry have afforded us a melancholy confirmation of these statements; and we cannot forbear expressing our strong sense of the patient endurance which the labouring classes have generally exhibited under sufferings greater, we believe, than the people of any country in Europe have to sustain."—(*Report of the Devon Commission; Dig. of Evid.*, II., 1116.)

rise to an enquiry, the results of which fill an enormous Blue-Book.\*

Were the peasantry of Gweedore justified in complaining that contrary to an immemorial custom they had been interdicted from grazing their flocks upon the mountains, and that in consequence of this interdict they found it impossible for the future either to breed sheep or to pay their rent? Had not the proprietors, without exactly overstepping their legal rights, overlooked one of their gravest duties, by suddenly taking away from an entire population a means of subsistence without which the conditions of tenure were rendered much more difficult? And was it not true that some among those proprietors wished, by reducing them to extremities, to oblige them through fear and want to listen with docility to the instructions of Protestant ministers and Scripture Readers?†

These grave questions are not definitely resolved by the parliamentary enquiry of 1858. The saddest instance of oppression, the most guilty abuses of authority, and the most lamentable details of misery were revealed by the numerous witnesses who appeared successively before the Committee of the House of Commons. Yet, nevertheless, the committee adopted a report which came to no decision either in one way or the other; it leaned if anything rather towards a justification of the landlords' conduct; and we presume as satisfaction for the sufferings of the people of Gweedore it declared that "that population was not in a worse condition than usual!"

Much might be said against such a conclusion. Those especially would have a right to dispute its value who have taken the trouble to examine on the spot the results of the changes effected within the last five years in the system of tenures; who have seen the superhuman efforts of the unfortunate peasantry to turn into productive land the strips of bog upon which their cabins are built; and who know that in 1858 and 1859 a large proportion of that population was obliged to emigrate to Australia, and that nevertheless the lot of those who remain has nowise improved. Again, whether the destitution of Gweedore be of old or of recent date; whether or not it be the result of a state

\* "*Destitution (Gweedore and Cloghaneely)*; Report of the Select Committee: 1858; No. 412."

† What is certain is that in 1838 there was not a single Protestant in the whole region; and that a few years later a very pretty church was built at Dunlewey, and several houses put up in the neighbourhood for the use of the Bible Readers. Up to the present, however, the efforts made to bring the population over to a different way of thinking have proved a signal failure. With the exception of the Bible Readers, a few policemen, and a certain number of Scotch Presbyterian farmers recently settled there, no Protestants are to be found in the county.

of things independent of the ill-will of man or the merciless proceedings of proprietors with regard to their tenants; it is not the less true that this destitution does exist, and to a degree which the imagination is at pains to realize. We were under the impression after having visited Connemara and the peninsula of Erris that nothing more of this kind could surprise us; it was however reserved for the district of Gweedore to exhibit to us under aspects entirely new and hitherto unimagined the utter distress of the Irish peasant.

In visiting the cabins of these poor people, we were able to verify the exactness of details which we had read some months previously in a Protestant paper of Londonderry.

There are in Donegal,—said this paper,—about four thousand adults, of both sexes, who are obliged to go bare-foot during the winter, in the ice and snow,—pregnant women and aged people in habitual danger of death from the cold. . . . It is rare to find a man with a calico shirt; but the distress of the women is still greater, if that be possible. There are many hundreds of families in which five or six grown up women have among them no more than a single dress to go out in.\*

About three hundred families in this county,—adds the same journal,—have neither beds nor blankets, and are obliged to lie on rags collected during the day and heaped on the damp cold ground. There are about five hundred families who have but one bed,—in which fathers, mothers, and children, without distinction of age or sex, are crowded together pell-mell.

In the cabins of the districts of Falcarragh, Derryveigh, and Gweedore, but only in those of the wealthiest among the peasants, we more than once saw a stall with a cow and a few pigs under the same roof with the family; and the dampness of the cattle-straw, thus added, perhaps to correct and render it wholesome, to that of the bog.

There also, as well as in the county Mayo, we learned the saddest and most authentic details concerning the food of the peasantry. When we went into a cabin at meal-time, we found the family seated round a dish of potatoes half spoiled and half raw; and upon enquiring why they rendered their food less wholesome by this insufficient cooking, they replied that the potato when half boiled had the advantage of being more

\* It frequently happens on Sundays that one member of the family after having heard Mass, returns home, takes off his clothes, and gives them to another, who goes to hear the second Mass. M. de Beaumont had already stated this fact, which has been confirmed to us by the priests of this district. (See also the very interesting pamphlet published at Belfast, by Mr. Denis Holland, in 1859,—“*The Landlords of Donegal*,” p. 70.)

difficult of digestion, and consequently of allowing them to postpone for a few hours the second meal.

We know also that in many coast districts the peasants were obliged to mix with their food wild herbs gathered among the rocks by the sea-shore:\* it was again in the district of Gweedore that our eyes were destined to witness the use of the seaweeds. Stepping once into a cabin, in which there was no one but a little girl charged with the care of minding her younger brothers, and getting ready the evening meal, we found upon the fire a pot full of *doulamaun*† ready cooked; we asked to taste it, and some was handed to us in a little platter.

This weed when well dressed produces a kind of viscous juice; it has a brackish taste and savours strongly of the salt water. We were told, in the country, that the only use of this weed is to increase when mixed with potatoes the mass of aliment given to the stomach. The longer and more difficult the work of the stomach, the less frequent are its calls. It is a kind of compromise with hunger; the people are able neither to suppress it nor to satisfy it; they endeavour to cheat it. We have also been assured that this weed cannot be eaten alone; it must be mixed with vegetables, since of itself it has no nutritive properties whatever.‡

All these sad details go to make up an amount of wretchedness and destitution endured by a large portion of the agricultural class in Ireland, with which that of our poorest peasants in France will fortunately afford no comparison. We lived for a lengthened period in one of our departments justly considered as among the poorest and most backward, and in which by a kind of sordid economy the peasant feeds himself very badly. But what day labourer is to be found there who has not an abundant supply of hot bread soup, at least two and even three times a-day,—and with it sometimes vegetables dressed with butter, haricots, potatoes, or turnips,—milk porridge, and now and then eggs or fruit? Here, be it well understood, we speak simply of the peasant who buys his own food; farm labourers generally get more abundant and substantial fare; the use of meat is becoming much more common among them;

\* A *Blue Book* stated this fact as early as 1836: "Some are forced to seek their sustenance on wild herbs."

† The name given to these *algæ*. A peasant took advantage of the low water to gather me some handfulls, which I have brought back with me to France.

‡ When the use of these weeds was adduced before the Parliamentary Commission of 1858, as an incontestable proof of the destitution of the country, a rich landlord whose mansion is situated by the seaside replied: "But my children eat it." Doubtless, my Lord, your children may take a fancy to taste a little *doulamaun* after leaving your well-served table; but would you consent to give them that and bad potatoes for their daily food?

and without deviating from traditional sobriety, the French peasant has at the worst of times wherewith to satisfy the cravings of hunger without being obliged to clog his stomach with unwholesome food.

After having seen and touched these details of the destitution of the Irish peasant—which is, as upon these data we insist, not that of 1839, but that of 1860, 1861, and 1862—we are not astonished to find a Protestant writer, the historian Alison, declaring that slaves, who have masters interested in feeding them well, are less unfortunate than the free and starving Irishman;\* and Cochrane, who holds the Irish responsible for their misery, declaring that the day would be a happy one for the Irish peasantry, the slaves of their carelessness and their wild passions, when they might exchange their condition for that of the Siberian convicts, subject to the less crushing yoke of despotism and the knout.†

It is not a Catholic writer that casts at England the scorching reproach implied in his envying for the population of a country governed by her the sceptre of the Czar; these are two Protestant publicists, full of prejudice and rancour against the country whose sufferings they describe. How is it, then, that the government, which for the last few years has been assuming the part of cosmopolitan protector of injured rights and the accredited avenger of all injustice, does not pay more attention to so lamentable a state of things? Why does that government compel her most devoted friends and least suspected partisans to tell her, upon this subject, such blighting truths? When will the traveller be able to visit those remote parts of Ireland without leaving them under the conviction that they are the victims of a great social crime?‡ When, as Earl Grey said in the House of Lords, will these evils cease to be chronic and habitual?§

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## CHAPTER V.

### PARTIAL FAMINES OF 1860, 1861, 1862.

NOTHING better justifies the words of Earl Grey, uttered though they were nineteen years ago, than the latest trials

\* "It would be a real blessing to the inhabitants of Ireland in lieu of the destitution of freedom to obtain the protection of slavery,"—(Alison; *Hist. of Europe*, Vol. ix. p. 11.)

† Cochrane's *Travels in Russia and Siberia*; p. 79, 190.

‡ Expressions of Mr. Bright already quoted, *ante*, page 126.

§ "The evils of that unhappy country are not accidental, but chronic and habitual!"—(*Hansard's Parliamentary Debates*; Vol. lxxxiv. p. 1345.)

from scarcity or famine through which Ireland has passed, and which she is still suffering at the very moment when this book is about to make them known to the continental public.\*

On the 17th of April, 1860, an Irish member of the House of Commons asked the Government "what measures it purposed taking in reference to the great destitution which then prevailed amongst the peasants and the labouring classes in the West of Ireland?" The Secretary of State for Ireland replied that: "it was his painful duty to state that a large amount of destitution did in fact exist in some of the western districts."†

The papers of this period were full of the most harrowing details. It was already known from the agricultural statistics of 1859 that the harvest of 1859 as compared with that of 1858 presented a large falling off, and that potatoes in particular had yielded but five-sixths of the average crop; in other words that the population were short of two months' food. Hence they were obliged to dole out and measure their fare as though on board a ship short of provisions.‡

The cold and rainy spring weather soon verified the fears inspired by the preceding autumn; and many districts of Munster and Connacht were visited by cruel scarcity.

At the end of March 1860 it was stated in a letter from Killarney, (Co. Kerry, Munster):—We have here an amount of destitution which can only be compared to that of 1846.—The Society of St. Vincent de Paul, and private charity, have exhausted their resources; the inclemency of the season and the extreme scarcity of fuel add to the amount of suffering from hunger.—The labourers, without fire, without clothes, and without food, are obliged to swarm into the Workhouses.§

A few days afterwards a Mayo newspaper announced that in the Barony of Erris, out of 20,000 inhabitants 10,000 were *suffering cruelly from hunger.*||

The Workhouses of the neighbourhood,—added another local paper,—are more full than ever they were during the Famine; and notwithstanding this one cannot walk a step in

\* Spring of 1862.

† He added: that he had every reason to believe that the ordinary resources of public relief would for the time suffice, and that in any case he was not for the moment prepared to hold out a hope of any other intervention. This answer reminds us of the one made by Lord Heytesbury, Lord Lieutenant of Ireland, at the beginning of the great famine of 1846, to a deputation headed by O'Connell: "The step is premature,—said the representative of the Queen,—there is no reason for alarm; some scientific gentlemen are coming over from England to make an enquiry. Let us wait!"

‡ "... The decrease of this important crop is equal to two months' supply, or one-sixth of what would be necessary to afford the whole Irish their average consumption for one year."—(*Agricultural Statistics, Ireland, 1860.*)

§ *Evening News*, 2 Ap. 1860.

|| *Mayo Constitution*, Ap. 1860.



Ballina without being attacked by crowds of beggars. How many families in the villages of this district are reduced to boiled roots without salt, for all their food, and not enough even of that.\*

Again: The cattle are dying of inanition; because the first spring grass has entirely failed, and hay has risen to an exorbitant price.†

And: In some parts of the Counties of Limerick and Tipperary the potatoes first planted have failed, because of the cold and wet, and the farmers have been obliged to sow more.‡

So, the cattle were dying off from the severity of the weather and for want of herbage; the potato crop was insufficient; food of primary necessity was so dear in all the markets that the poor could not afford to buy it; and even in the most easily circumstanced families daily wants could only be met by the ruinous system of borrowing.§

At the same time, a meeting was held at Belmullet, with the Protestant minister in the chair and the Catholic parish priest in the vice chair, to take into consideration the means necessary to procure the aid immediately required by these *ten thousand persons suffering cruelly from hunger*. Before breaking up this meeting, nearly all composed of either magistrates or landlords, signed a petition addressed to the Lord Lieutenant begging him to counteract these extraordinary evils by prompt and efficacious measures.|| During the whole period of scarcity, that is until the end of June, the Relief Committee met regularly, organised and pushed forward subscriptions over all Ireland, and had the satisfaction of being able to mitigate as far as possible the worst of the destitution prevalent in this peninsula of Belmullet.

It was not the agricultural labourers and the ordinarily poor peasants alone who were reduced to all kinds of suffering; the small farmers themselves, suddenly deprived of their ordinary resources and without funds to meet the pressing necessities of the moment, were reduced to the same distress.¶

*Absolute want* of everything, both food and seed: such was,

\* *Tyrawley Herald*, Ap. 1860.

† *Daily Express*, Ap. 1860.

‡ *Limerick Examiner*, Ap. 1860.

§ *Galway Vindicator*; *Castlebar Telegraph*; April 1860. All these details are confirmed in an official correspondence inserted in the last Report of the Poor Law Commissioners; (1861; p. 30-66).

|| "Meeting held in the Courthouse of Belmullet on the 16th of March."—(The petition is quoted in the last Report of the Poor Law Commissioners; 1861; p. 32.)

¶ Report of Mr. Bourke, Poor Law Inspector, dated March 6th, 1860; (14th Gen. Rep. of the Poor Law Com.; p. 30.)

according to the Report of a government agent, their situation during the spring of 1860. Moreover a certain number of families, who might have gone to the Workhouse, refused to do so; because they would have been obliged to give up their holdings, and to remain paupers for the rest of their lives. In fine, as a contrast to those landlords who with generous zeal came to the succour of the starving families, there were others who pretended to ignore the excess of this destitution, yet on whose estates it attained the most lamentable proportions.\*

Almost immediately fevers, dysenteries, and other diseases of the bowels and stomach, the result of privation and of the unwholesome food which many families were forced to eat, invaded the district.†

No extraordinary measures were however taken by government to meet this extraordinary destitution. The Poor Law Guardians were simply authorized to give a larger amount of out-door relief, and not to insist upon the law ‡ by virtue of which public charity is refused to any one holding a quarter of an acre of land. If however the committee formed by the zeal of the Catholic parish priest and of the Protestant minister of Belmullet had not supported during more than three months nearly nine hundred families, we may affirm that the barony of Erris would have witnessed the renewal of the same scenes of despair and death of which it was the theatre fifteen years before.§

The summer and autumn of 1860 were, as is well known, but a kind of perpetual inundation. The geographical position of Ireland makes it an habitually rainy and damp country; but this year the west winds, which never ceased blowing, brought with them fresh mountains of clouds, and almost daily rain. In the middle of October the hay which is usually gathered in the month of August was still to be seen in the meadows; a large portion of the harvest was lost; and the continual drenching of the soil spoiled the potato crop in several counties. This unfortunate circumstance which in any other country produces

\* "Many families there are, I believe, *utterly without means*. . . . They know that if they surrender them, and go into the Workhouse, *they become paupers for life*; and in many cases they will die sooner than adopt such a course. . . . There are proprietors who chose to ignore the distress."—(Report from Mr. Bourke, Poor Law Inspector, to the Commissioners; Ballina, May 3, 1860.)—(14th Gen. Rep. p. 39.)

† "Induced by the unwholesome garbage that the people eat."—(Letter of Mr. Jackson, Protestant minister of Belmullet, to the Poor Law Commissioners; 14th Gen. Report; p. 46.)

‡ What is called the *Quarter Acre Clause*, [repealed only in the present year], of which more in the following Book.

§ See the Reports of the Society of Friends during the Famine of 1847; before referred to.

but momentary discomfort, always in Ireland threatens the most frightful consequences.

It is indeed readily to be understood how a people accustomed to the use of meat can in times of distress do without it, and live upon vegetables; and if the cause of distress continue, it can at a pinch put up even with bread though of an inferior quality. We have, even very lately, passed through similar crises in France. They certainly entail a large amount of suffering among the peasantry; but they do not necessarily imply a sentence of death upon them.

In Ireland the case cannot be so. As soon as the potato crop is threatened the alarm becomes general. In the month of October 1860 it was the Poor Law Commissioners themselves who in a circular sent by them to all the Unions expressed the fears entertained for the winter on account of the bad harvest. Full of foresight and wisdom this circular recommended the Guardians to take timely measures to meet an exceptional amount of destitution during the winter of 1860-1861. This destitution was unhesitatingly attributed by the Commissioners to the state of the potato crop.\*

These fears were anything but chimerical. During the winter of 1861, notwithstanding the precautions taken by the Poor Law Administration, many districts suffered from this plague of famine which has as it were become naturalized in Ireland, and which stubbornly defies all the progress of modern civilization.

On the 14th of January 1861, a large meeting was held at Drogheda, (county Louth and Meath) at which the Mayor took the chair. The object of the meeting was to take extraordinary measures, and to make a pressing appeal to the wealthy in favour of the poor crowded in the suburbs of the town, and who in the unwholesome cots where they were huddled together were in absolute want of everything, and actually exposed to die of hunger.†

In February and March an appeal to public charity had to be made in favour of the fishermen of the Claddagh, a little

\* "That the present extent of the Workhouse accommodation will be found equal to any emergency which is likely to arise from a failure of the potato crop, in the present or in future seasons."—(14th *Gen. Rep. of the P. L. Com.—Circular to Boards of Guardians*, 6 Oct. 1860, p. 27.)

† "The object of the meeting was to raise subscriptions for the purpose of purchasing meal; . . . and to appoint a committee, whose duty it would be to visit the haunts or homes of the destitute."—The Mayor, Mr. John Moore, spoke with energy of "the vast amount of distress and destitution at present prevailing in the town and suburbs."—Alderman James Mathews urged the meeting to resolve promptly to take efficacious measures: "the Relief List was re-opened because the destitution had increased ten-fold. There was not a moment to be lost, as the people were starving."

village hard by the port and town of Galway.\* A subscription committee had been formed under the presidentship of the Bishop of Galway, Dr. Mac Evilly. This population of the Claddagh, numbering about 5,000 souls, was reduced to the last extremity of distress. Neither the aid of the public administration, nor the generous donations of a private charity, were able to prevent great sufferings; the destitution was both too radical and too general.† And it was not in Ireland alone that this “cry of anguish” from the West was heard. As at this same time the unfortunate Partry tenants evicted by the Protestant Bishop of Tuam were reduced to absolute destitution, it was determined to invoke in favour of so much suffering the charity of Catholic France, and to appeal to sympathies to which Ireland never appealed in vain in the days of her trial. It was assuredly a happiness and a glory to the interesting cause of Irish destitution to find for its mouthpiece a bishop in whom the zeal and charity of the Catholic Church seem to be personified. The indefatigable champion of unredressed wrong, the unflinching adversary of triumphant injustice, Monseigneur Dupanloup, the illustrious Bishop of Orleans, laid aside for a moment the pen which had just defended with such power the cause of the Holy See, to ascend the pulpit of St. Roch, and in the thrilling accents of an eloquence destined to go the round of the world drew tears from the eyes and abundant alms from the hands of his immense audience.‡

\* As to the population of the Claddagh,—whose manners are extremely singular, and who form a kind of separate tribe, which will not mingle with the surrounding population,—see Black’s *Picturesque Tourist of Ireland*, p. 227;—the Travels already quoted of the German, Rodenberg, “*The Island of the Saints*,” (ch. xiii. p. 242);—and the magnificent illustrated collection entitled *The Scenery and Antiquities of Ireland*, by Th. Bartlett; (vol. ii. p. 64.)

† At the beginning of March, a Galway physician, Dr. Colahan, lectured at the hospital on famine-fever, and described the horrible sufferings which had preceded the death of a poor Claddagh fisherman brought to the hospital in a state of complete inanition. (See a fragment of this lecture in the *Galway Vindicator*, quoted by the *Dublin Evening News* of March 14th, 1861.)

‡ Sermon at St. Roch, March 25th, 1861. An English paper analysed and violently attacked this discourse a week before it was uttered! The Protestant Bishop of Tuam, Lord Plunket, even wrote on the 12th of March to Lord Cowley, the English Ambassador at Paris, to protest against the *signal falsehoods* of which the sermon at St. Roch was *to be* composed! Lord Plunket’s letter having been inserted in the *Journal des Débats* of March the 22nd, Mgr. the Bishop of Orleans sent on the morrow, to the same paper, an answer to these preventive accusations: “I hand over by anticipation,” said the eminent prelate, “my sermon to the criticism of Lord Plunket as soon as it shall have passed my lips; but, although much accustomed to discussions, I now for the first time see an answer to words which have not yet been uttered. Lord Plunket does not contest the fact of there being poor in Ireland. This is a sufficient reason for me to invoke charity in their favour.” (These letters are inserted in the Appendix to the printed edition of the Sermon of Mgr. Dupanloup; pages 64 and 65.)

In the month of April it was the weavers of one of the suburbs of Belfast, (Ballymacarret,) who on account of the dearness of provisions and the smallness of their wages were commended by a Protestant paper (the *Northern Whig*) to the attention of the charitable of that wealthy and industrious city.\*

It will be admitted that amidst the unvaried repetition of these scenes of destitution, and of these appeals to public charity, it was scarcely the moment to choose for the announcement that Ireland was now "prosperous, rich, and powerful."†

But Queen Victoria was just then preparing to make a short visit to Ireland. It was of importance that she should be persuaded that nothing remained to be done but to thank heaven for having showered down on that country, formerly so unhappy, such visible and precious blessings. The *Morning Post* and the *Times*, in the name of the English people, united their powerful voices to extol the "prosperity of Ireland."‡

A few weeks after the Queen's visit to Killarney, whilst the echo of the shout of triumph set up by the ministerial papers at Ireland's prosperity was still heard, the cry of alarm again resounded; the West of Ireland was stricken by partial famine. Whilst in France we were enjoying a summer and autumn exceptionally fine and warm, in Ireland constant rain had drowned the crops. As early as the beginning of October the Dublin, London, and Paris papers told their readers that fresh sufferings threatened the rural populations of Munster and Connacht.

On the 6th of October, at Kilmovee, in the County Mayo, a meeting presided over by the archdeacon the Rev. J. Coghlan,

\* Meeting held April 27th, 1861.

† *Times*, quoted in *Evening News* of Aug. 14th, 1861.

‡ In the "humourous" style, familiar to the English, the *Times* pleasantly compared Ireland to a lady who draws first upon her husband's fortune, and has besides for the exigencies of her toilette a private fund; consequently she ought to be more grateful to worthy John Bull, who so strongly blames the severity of his fathers, and spares neither care nor trouble for the happiness of Ireland, his dear spouse. Let it not be imagined that we put into the mouth of the English journal pleasantries of such questionable taste. "What's yours is mine, but what's mine is my own, is the language of our Irish spouse,"—(we quote the very words of the article in the *Times* above referred to.) . . . "Like the well-bred husband who gives his tacit consent to the above-quoted uxorial dogma, we are quite content that it should be so. But we ought to have the credit of being the well-bred husband. At the five o'clock tea time, or during the short absence of the gentlemen after dinner, Ireland, when she ruffles in her finery and glances at her jewels, might say how comfortable she is at home [!], and might put in a fair word for John Bull, who has repented of the harshness of his forefathers, and spares no pains to make her smart and respected." [! ! !]

The *Morning Post* was more serious without being more sincere. In an article of the 13th of Nov., the *Morning Star* carefully rectified these impudent assertions, and did not fear to say that: "at present the sister island is held as a conquered country; the mass of the people are treated as an inferior caste."

unanimously voted the adoption of the following declarations and resolutions:

1°. Five sixths of the potato crop, the principal food of the people of this parish and district, have been destroyed by the disease and the recent inundations.

2°. If all the wheat harvested in this mountain parish were turned into flour, it would not suffice to feed the population, comprising 6,000 souls, two months.

3°. If government do not immediately open public works, with wages sufficient to allow the people to buy food, they will die of hunger.

4°. These resolutions to be respectfully submitted to his Excellency the Lord Lieutenant, and to the Secretary of State for Ireland, in order that in the name of humanity they may ask government to take immediate steps to ward off such lamentable evils.

In a public letter addressed to Lord Palmerston, the Lord Archbishop of Tuam called the attention of the minister to the scarcity which threatened the whole western region, the sufferings of which portion of the country would be aggravated by a total want of firing, the turf either not having been able to be got on account of the great rains or not having dried.

Connemara (from Galway to Clifden) was in no less critical a situation,\* and it soon got abroad that a large part of the province of Connacht was menaced with a real famine. At a meeting held at Castlebar, on the 26th of October, Resolutions were passed similar to those of the Kilmovee meeting, which testified to similar disasters. Three days afterwards another meeting was held for the same object in the County Roscommon.†

At the outset of this new trial the *Times* again attempted to lead off in its old strain, and to prove that Ireland was not only on the high road to prosperity, but in the way to become rich;‡ and certain Dublin papers affected to treat with indifference the dark news which came from the West.§

The continuation of this ignoble farce soon became impossible. The Secretary of State for Ireland, Sir Robert Peel, set out himself on a visit to the most severely tried counties

\* *Galway Vindicator*, quoted in the *Evening News* of October 18, 1861; Resolutions of the Clifden meeting, October 23, 1861.

† Meeting of the parish of Dysart and Tonghboy.

‡ "Ireland is now on the high road to prosperity, if not to great wealth."—(*Times*, 23rd Oct.)

§ "If the winter, as some apprehend, proves a trying one in Ireland, the circumstance will in no way reduce the significance of the statement that Ireland is steadily progressing in prosperity."—[!]*—(Packet, quoted in the News of 10th Oct.)*

of the West, in order to judge in person of the extent of the disaster.

The journey of the Secretary from Galway, to which he had gone by rail, through the most destitute provinces of the West, and thence to Sligo, took up only three days.\* He made a speech in the latter city, in which he dwelt principally upon the remarkable progress made by agriculture in Ireland within the last few years, and gave but scanty details of the destitution which had been the object of his journey.†

On his return to Dublin he wrote to the corporation of that city to say that government was thoroughly well informed as to the real state of things, and that according to the reports handed in from different parts of Ireland the ordinary resources of the Poor Law would suffice to meet the eventuality of scarcity.‡ It would certainly be difficult to treat a graver question more lightly; and even the English press itself allowed that such conduct was not calculated to gain the confidence of the Irish people.§

After this journey of Sir R. Peel, appeals to public charity were multiplied in December 1861 and January 1862 in favour of the poor populations of the West. The necessities brought to light are always the same; cruel privations arising from want of food and firing.|| Several cases

\* According to his own admission Sir Robert Peel travelled a hundred miles a day on an outside car.—That is sufficient of itself to give us an idea of the seriousness of his enquiry into the state of the country!

† “... After having traversed a very extensive range of country within the last three days, about three hundred miles on an outside car. . . . As I have stated, I have gone over a large tract of country, and I must say it is with extreme gratification that I have seen during my route the evident progress which is influencing the agricultural interests, in general, of this part of the country.”—(Speech of Sir Robert Peel to the Corporation of Sligo, 9th Nov. 1861.)

‡ Letter of Sir Robert Peel to the Secretary of the Corporation; Dec. 7th, 1861.

§ See an article of the *Daily News*, (quoted by the *Dublin News* of Nov. 23): “What is to be said of a minister of the crown who cannot resist the temptation of denouncing as wholesale imposture the cry of an unhappy people for firing and food, and who does not seem conscious of the absurdity of asserting that by his three days’ tour in Connacht he had obtained full and sufficient information on the matter?”

|| Meeting of the Deanery of Ballinrobe, Nov. 18, 1861; and petition addressed by the committee to the Lord Lieutenant.

On the same day, meeting for the same object at Tuam.

On the 13th of December, meeting at Skibbereen (county Cork), presided over by Bishop O’Hea; and petition addressed to the Lord Lieutenant to ask for the organization of public works in the district.

On the same day meetings at Galway, presided over by the High Sheriff; and at Loughrea, by Bishop Derry. The Marquis of Clanricarde, Lord Lieutenant of the county Galway, assisted at this meeting, and warmly pleaded the cause of the unfortunate inhabitants.

December 26th, meeting at Belmullet, and petition to the Lord Lieutenant.

January 4th, 1862, meeting at Ballinasloe (Galway and Roscommon); out of 3,500 inhabitants, 1,700 absolutely destitute.

Jan. 31st, meeting at Athenry; presided over by Stephen Roche, Esq., J.P.

of death from hunger, even, were proved at coroner's inquests.\*

Notwithstanding official assurances intended to calm it, public opinion was greatly moved. A paper which as a rule does not over trust Catholic bishops and priests, and frequently accuses them of fomenting discontent and disaffection among the people, added its testimony to that of the provincial journals and bitterly upbraided Sir Robt. Peel with having travelled so hurriedly and having been so superficial in his inquiry, so positive in his judgments, and so far from the truth in his conclusions.†

On the 26th of November, on the motion of Mr. Peter Paul MacSwiney, a member of the municipal council and one of the most respected commercial men of Dublin, the Corporation held an extraordinary meeting in order to deliberate upon the course to be taken in presence of the sufferings of the West of Ireland.

Two Resolutions were unanimously adopted by the Corporation.

In the first they expressed a wish that immediate steps should be taken to avert the danger to which thousands of the poor were exposed; and they determined on forwarding a petition to the Lord Lieutenant asking for the promotion of public works in order to give the unfortunate people the means of buying food.

The second resolution consisted of a request to the Lord Mayor desiring of him to form a permanent committee authorized to receive all information proper to make known the progress of the famine.‡

\* One of these cases is quoted in the Report of the Extraordinary Meeting of the Dublin Corporation, held on the 26th of November, 1861. On the 30th of January, 1862, a similar case was proved before the coroner at Athlone: "A verdict was returned that deceased died from want and exposure to cold."—(Dublin News, of Feb. 1st, 1862.)

† The *Irish Times* of Nov. 28th, 1861 (quoted by the *News* of the 29th.)

‡ "1. That as death from starvation has resulted from the distress which now unhappily afflicts several districts of our country, it is the opinion of this Council that immediate steps should be taken to avert the danger to which the lives of thousands of our struggling poor are exposed by the double visitation of a scarcity of food and a scarcity of fuel. It is therefore Resolved, that a Memorial be forwarded to the government with a view to the obtaining of such aid, through the promoting of useful public works or otherwise, as the necessity of the case may require."—(Moved by Mr. Peter Paul MacSwiney.)

"2. That in order to give the greatest practical force to the well-founded opinions on which we have adopted the Resolution to present a Memorial to the government in reference to the present state of the country, the Lord Mayor be requested to take the initiative in forming a Mansion House Committee, and to invite the co-operation of the leading citizens and the public generally, with a view to watch the progress of events, to open correspondence



The solemnity of this deliberation, the striking accord which prevailed for the adoption of these measures among men frequently divided upon other questions, the news which came in every day of still greater sufferings in the West and South of Ireland, all this gave people reason to hope that government would take into consideration requests of such gravity founded upon wants so urgent.

The deputation of the Corporation by whom the petition was drawn up were received by the Lord Lieutenant on the 28th of December, and treated with all the courtesy and kindness which characterize all the proceedings of Lord Carlisle.

The Lord Lieutenant's answer, however, in nowise answered the expectations of the deputation. He confined himself to congratulating the petitioners on their sympathy for their fellow-citizens "who were less happily situated[!];" praised the conduct of landlords who had given to the neighbouring poor wood or coal; and said that he did not doubt that if the progress of the famine called for any considerable aid, private charity, never appealed to in vain, would abundantly meet the call.\*

A few days later,† another deputation, headed by the Catholic bishop of Elphin, Dr. Gillooly, and a member of Parliament, the O'Connor Donn, waited upon the Lord Lieutenant in order to call the attention of government to the deplorable situation of the agricultural classes in the Counties of Sligo, Leitrim, and Roscommon.

All these steps remained however absolutely fruitless; and whilst in America‡ meetings were held, and subscriptions

with reliable sources of information in the country, communicate the results to and if requisite stimulate the action of the authorities, and to receive and allocate such donations from private benevolence as the ascertained state of distress may suggest and elicit."—(Moved by Dr. Gray.)

\* The following is the text of Lord Carlisle's answer:—"My Lord Mayor and Gentlemen.—It must be always pleasing to find any portion of the community sympathising with the wants and privations of *their less happily situated brethren*. The condition of the poor has, without doubt, been unfavourably influenced by the general character of the weather in the year we are just closing. It continues to engage the watchful attention of the government. With respect to the article of fuel, to which you have prominently adverted, I am happy to find that in some of the cases which the law of the realm especially devised for the relief of public distress may have failed to meet, the liberality of the proprietors of the soil and the wealthier classes in the respective neighbourhoods has been called forth with a view to increase and distribute the supply of this essential requisite; and I cannot doubt that if unhappily further exertions may become necessary, the initiative of relief, at least, will be taken by that generous public whose benevolence and generosity have been seldom invoked in vain."

† 16th Jan., 1862.

‡ Meetings at Buffalo, (31 Dec. 1861); at Kingston, (18 Jan. 1862); at Montreal, (20 Jan.); at Perth, (Canada), (26 Jan.).

organized, to send over to the inhabitants of the Western counties wherewith to buy food and firing, the representatives of the English government in Ireland seemed the only persons unmoved in the midst of these misfortunes. The Poor Rate, and Workhouse Relief appeared to them with private charity more than sufficient to pass through so painful a crisis without disaster.

It is however easy to understand the embarrassment of these functionaries. To admit that Ireland continues to be visited by periodical famine, and that in spite of the undoubted progress made during the last ten years coroners juries are still called upon to return verdicts of death from hunger, would be, unless we are gravely mistaken, to give the lie with the same mouth which uttered them to all those speeches so entirely devoted to the production of a picture of Irish prosperity.

We cannot, then, be surprised at what was said upon this point in Parliament the day after the opening of the Session of 1862. On the discussion of the address, or rather that part of the Queen's Speech in which mention was made of the "generally prosperous and satisfactory state of the country," Mr. Maguire asked the Secretary of State for Ireland if the government intended to take any steps and what in favour of the Western counties of Ireland suffering, at that moment under an exceptional amount of destitution.

In the spring of 1860, Mr. Cardwell did not think it a betrayal of the interests of English policy to announce to the House of Commons that several districts of Munster and Connaught were suffering from scarcity. His successor considered it more skilful to deny the facts to which the attention of Parliament was called. In his reply to Mr. Maguire Sir R. Peel affirmed that there was nothing extraordinary in the situation of Ireland; he accused the details entered into by the member for Dungarvan of great exaggeration; and he even went so far as to affirm that nothing was more distasteful to the feelings of the Irish people than to have purely imaginary sufferings paraded before Europe, and that for his own part, he protested indignantly against such proceedings. [!]\*

In vain, then, has Ireland, during eighteen months, after two exceptionally bad seasons and scanty harvests, called attention to her misfortunes on the part of that government which has assumed the mission of conquering her, of civilizing her, and of leading her by the hand in the way of progress!

In vain do official documents join their impartial testimony

\* "The case was greatly exaggerated. He protested indignantly [!] at the imaginary sufferings [!] of Ireland being paraded before Europe, as most distasteful to the feelings of the Irish people."—(Ho. of Com., Feb. 6; 1862.)

to the more clamorous demands of the press\* in attestation of these sufferings; all the facts are either stoutly denied, or put down as factious agitation, the aim of which is only to perplex the government; Ireland is pretending to be hungry and cold in order to oppose Lord Palmerston; and just as other people put up barricades, so she covers herself with rags in order to rouse Europe against the equitable and paternal rule which she enjoys!

We feel more at ease, we confess, in qualifying as it deserves this method of public discussion, since it has been used by the same ministers in widely different circumstances where even graver interests were at stake, and since eminent publicists have already held it up to the indignation of Christian and liberal Europe.

Thanks to the able work of M. Saint-Marc Girardin upon Syria, it has become matter of history, that in order to be able to carry out without difficulty the selfish traditions of English policy in the East, the present cabinet attempted to persuade parliament and Europe of that which by the confidential reports of British consuls and British agents it knew to be contrary to the truth.

There was not one of these reports which did not complain of the weakness or ill-will of the Turkish administration; and yet English ministers incessantly repeated that the Turkish government was able to guarantee the safety of the Eastern Christians; that it had the will and the power to do so.†

This was then the watchword given by Lord Palmerston to public opinion in England. The British agents told the truth concerning the East to the minister; and it was the minister that deliberately lied to England and to Europe, because he entertained a policy with regard to the East that was obstinate and stationary.‡ And this at the very moment when, before their eyes, and frequently with the connivance of the Turks, the Christians of Syria were butchered by thousands!

But lately taken into the Palmerston cabinet, Sir R. Peel has proved himself but worthy to serve under such a chief. It would be impossible to evince greater disdain for what is evident, or greater contempt for truth; it would be impossible to sacrifice it more unscrupulously.

On one side stood facts; on the other English interests in Ireland: there was to boot the public opinion of England and the Continent. Now the watchword was to be given to this

\* See Blue Books of the Poor Law Commission for 1859, 1860, 1861.

† M. Saint-Marc Girardin : *La Syrie en 1861* ; p. 323.

‡ *La Syrie en 1861* ; p. 267. (See also pages 46, 47, 49, 52, 263—266 ; and 289.)

opinion in order to further these interests; consequently, without any hesitation facts were either denied or suppressed.

If it be an inexorable law of politics and diplomacy not to tell the truth, when truth and the interest of the moment do not tally, we cannot blame Sir R. Peel for obeying a fatal necessity. We shall confine ourselves to putting him in possession of a logical deduction from the language used by him on the 6th of February, 1862, when he qualified the sufferings of Ireland as *imaginary*, and the accounts given of them as *exaggerated*.

How then! those honorable men of every political party and every shade of religious opinion who for the last four months have been organizing subscriptions in Ireland and Canada; those bishops and priests who have invoked the solicitude of the rich in favour of their destitute people;\* all those papers, English and Irish, Catholic and Protestant, Whig, Tory and Liberal, which have repeated the cry of alarm borne across from the mountains of the West; those Englishmen at once wealthy and generous, who so eagerly subscribed to meet the most urgent wants of the poor people of Connacht†—have they all but lied?! Is then the English government here also but the victim of a disloyal conspiracy against its honor, which hopes to deceive Europe by parading before it armies of ragged barefooted beggars?! and notwithstanding all this evidence, in despite of its astonishing unanimity, is one word from the lips of Sir Robert Peel sufficient to transform all that into a chimera, and to assure public opinion that it is nothing but the manœuvre of a vanquished and discontented faction?!

What man of common sense will you persuade to credit such revolting absurdity? and what does English honor gain in these hopeless struggles against truth, humanity, and justice? How is it possible to dream of long blinding public opinion, in the face of publicity such as that of the present day, especially in England?

We are not going to pit Irish authorities against the astounding assertions of Sir R. Peel; he would reject them as animated against him with hostile prejudices and irreclaimable unfairness. We shall therefore not tell him that ten days after the above mentioned parliamentary debate, at a great meeting presided at by the Lord Mayor of Dublin, details the most harrowing, and of well-established authenticity, of the increase

\* Pastoral Letters of several of the Bishops, January and February, 1862.—Speech of the Archbishop of Dublin, 17th Feb.

† At the head of one of these lists we read the name of Lord Petre, an English nobleman of Essex, for £100.

of destitution in the West were brought before the public;\* nor that at the present moment (May 1862) appeals to private charity† are still more numerous than during the winter; nor finally that the letters coming from those desolated regions, written by men the most respectable and trustworthy, have already confirmed all that was known of the sad situation of the agricultural classes.‡

We shall let only the English Protestant press speak here; and it will be seen how strongly even that press protests against the ministerial policy in Ireland, and still more so against the manner in which facts are mutilated and public opinion led away by sacrifice of truth:

Ireland,—said the *Morning Star*, London, at the outset of this new trial, that is in the month of October 1861,—Ireland is again threatened with Famine. Such, we regret to say, is the substance of a great number of reports which reach us from that part of the kingdom. We had hoped that these melancholy words would never again have been repeated on the subject of Ireland. The horrors of 1846 to 1849 seemed to have exhausted all that a people could endure of this kind of misfortune. These disasters have deprived Ireland of Four Millions of men; but it was supposed that considerable improvement was the result, and in these late times no common-place was treated with more complacency than the theme of the

\* In the island of Innisbofin, notwithstanding the generous conduct of the proprietor, Mr. Henry Wilberforce, the poor fishermen have neither turf nor coal nor wood to dress their food; they can get nothing but dried furze. Many cases of dysentery have already occurred on account of these privations. The same facts are stated of the Isles of Arran. At Londonderry a member of Parliament (Mr. M'Cormick) sent £100 to the Protestant Bishop for firing; the charitable donor desired this relief to be distributed among the poor without distinction of religious denomination. At the very gates of Dublin, at Kingstown, a locality reputed to be very rich, there are over 2000 persons absolutely destitute; ("absolutely in want of food and fuel, bed and bedding.")

† After the Mansion House meeting (February 17th), on the motion of Dr. Gray, the Lord Mayor was put at the head of a Relief Committee. Archbishop Cullen and Mr. MacSwiney were appointed treasurers. At this single meeting £150 were subscribed by way of beginning.

‡ The parish priest of Kilmovee (county Mayo) writes on the 18th of February that more than eleven hundred of his parishioners have no provisions of any sort. The Secretaries of the Committee formed at Athlone publish letters received by them from different proprietors promising to come to the aid of the peasantry. An inhabitant of Skibbereen writes to the Mansion House Committee that the ordinary food of the labourers and fishermen of that locality has for the last few months consisted of turnips and sea-weed, and that the poor people have scarcely the most indispensable clothes. The parish priest of Belmullet has in his parish three hundred families who have nothing to eat, and who are undergoing the most extreme privation in order not to abandon their cabins. In many parishes of the county Clare the people are living on turnips and oatmeal. "Whole families stop in bed all day to allay the cravings of hunger."—(Letter of the Rev. John Kenny, Administrator of the parishes of Touheran and Cahir, Liscannor, county Clare, 19th Feb.)

progress and improvement of the sister island. Production was on the increase, education was spreading, social and political tranquillity took the place of crime and agitation throughout the whole country. With the exception of a few districts of the North, where party spirit held its last entrenchments, the people was peaceful, industrious, and prosperous. Judge after judge announced with the utmost satisfaction from the bench the diminution of crime. Only a few months ago the Lord Lieutenant, at the Belfast banquet, painted in brilliant colours the marvellous progress made by the country in habits of order, in respect for the law, and in material prosperity. The effects of the *Incumbered Estates Act* were represented as surpassing all anticipations. In fine, Ireland had entered fully and radically on the path of progress; she was really become "an integral portion of the United Kingdom;" to a discontented, disobedient, turbulent, and famishing population had succeeded an Irish people, less numerous, indeed, but happy, and heartily attached now to the English government; and all this was accomplished, thanks to the horrible calamities which had overwhelmed this unfortunate country, within fifteen years.

Were these descriptions true—continues this English writer—or purely fanciful? Peaceful! no doubt of it, Ireland is peaceful; "law and order" are respected there. But, Material Prosperity! We regret to be obliged to say that the reports made to this effect, these last few years, are hard to reconcile with the notorious fact that at this moment, in a great many districts, the people is threatened with a scarcity, and that if the assistance of charity is not abundantly given, another mortal Famine, though less terrible than the last, is imminent. Whatever the cause, the cultivation of the land has sensibly diminished this year. The last statistics published by the Registrar-General prove, that not only are there thousands of acres which have been allowed to remain uncultivated, but also that there has been an enormous diminution in live stock, and especially in horned cattle and pigs.\* Besides, the crop of potatoes has almost completely failed. The loss is general, though some districts have suffered more than others. Is it not truly discouraging, after so many consoling reports about the Prosperity of Ireland, to learn that the potato is still almost exclusively the food of the Irish peasant?† This is however what is evidenced by the Meetings held on this subject. The Resolutions passed at these Meetings imperatively demand the attention of government; for, we are convinced of it, public opinion in England would not tolerate a repetition, even on a

\* These statistics have been quoted *ante*, p. 118.

† At least throughout all the *West*.

reduced scale, of the horrors of the last Famine, any more than justice or humanity could bear to sanction the return of such terrible calamities.\*

And again, scarcely had Sir R. Peel declared with such solemnity that there was nothing extraordinary in the sufferings of Ireland, and attempted to cast odium and ridicule on the remonstrances of her members, when another English Protestant paper, the *Morning Herald*, complained of the attempts made by government to lull English opinion into a false state of security with regard to the true state of Ireland.† It asked why, when scarce recovered from the patriotic fever which the breath of O'Connell had kept alive, that island was progressively losing in all the elements which among other nations go to make wealth and prosperity;‡ why, after having been relieved by Emigration of such a multitude of men, she was still in the pangs of want and famine, and destitution still the normal lot of the Irish peasant.§

Must we then believe that the policy of the present cabinet with regard to Ireland is "a stubborn and stationary policy;"|| that in Ireland as in the East the line followed by England is hard, stern, and merciless;¶ that there is on the one hand truth, with which ministers are well acquainted but will not allow, and on the other a policy which they do proclaim, but which is contrary alike to the truth and to humanity? These reproaches are grave, and they are the more worthy of attention inasmuch as they are the outpourings of the English conscience itself, "a conscience alike noble and generous, Christian and charitable, which respects justice and honor."\*\*

\* *Morning Star* of 16 October.

† "For years we have been lulled into a false security by the opiates administered in the smooth speeches of the Irish government and its friends; while Ireland, the right arm of the empire, has been actually losing health, and withering into premature feebleness."—(*Morning Herald*, quoted in *News* of the 16th Feb. 1862.)

‡ "It would seem that the normal progress of that most ill-fated of isles is towards poverty."

§ "We want no Poor Law statistics and no visits of Sir Robert Peel to remote regions in Connacht to be certain that distress must be the rule of cottage life in Ireland, and exemption from distress the exception."—The *Morning Herald* adds, (confirming one of our conclusions before stated): "We have been tolerating too long the false Political Economy which has been converting the country into an immense prairie, and forcing the population back into the savage simplicity of pastoral life. . . . Until it resume its old position of feeding men rather than beasts, there must be a fatal action even on manufacturing development, in the absence of capital in the country, and of the means of consumption in the inhabitants."—(See also an article of the *Morning Star*, quoted in the *Dublin News* of the 22nd Feb. The language of Sir R. Peel is there qualified as "coarse pleasantry and insulting fanfaronade.")

|| M. Saint-Marc Girardin; *La Syrie en 1861*, p. 267.

¶ *Id. Ib.*

\*\* *Ib.* p. 289.

But why carry into such questions political preoccupation? If some of the Irish papers wilfully exaggerate the destitution of their fellow-countrymen, they are wrong; and it is not by such a course of conduct that they will serve a cause in which the sole condition of being useful is to treat a friend and foe with equal impartiality. Above all if conspirators, and the cowardly and despicable agents of secret societies, attempt to take advantages of the pangs of hunger in order to fill minds with diabolical thoughts of vengeance, disorder and murder, then let the just rigor of the law smite them, and the contempt and execration of every honest soul be the only answer to their criminal instances!

But on the other hand, what is the British empire likely to gain in glory by the audacious denial of sufferings but too real, and of a state of destitution which is in everybody's mouth? It is of no use that you state in official speeches, and that you suborn papers to trumpet forth, that Ireland "is on the high road to progress and to wealth."\* Look at the rags that still cover her, and which are a reproach to your brilliant civilization; listen to the cries of her mountain populations who have neither firing nor potatoes to stay the cravings of hunger; and bear in mind that the *stigmata* of Famine pointed out to you are not those of 1846,—since you will have it that they have disappeared, and will hear no more about them,—but those of 1860, 1861, 1862. This century is drawing to its close; is it not high time to set down among the imprescriptible rights of nations that of not being forced *to die of hunger?*

After having seen Irish destitution in all its details, in town and in country, we have now to follow it in one of its most ordinary consequences: the necessity in which numbers of families annually find themselves of having recourse to public charity. It is important to know in what exactly this Relief consists; on what conditions it is given; what are the results of the system at present presiding over its distribution; and what influence, in a religious and moral point of view, this system and its administration exercise over a large portion of the population of Ireland.

\* *Times*, 23 Oct., 1861.



## BOOK THE SIXTH.

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# THE POOR LAW.

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### CHAPTER I.

#### HISTORY OF ITS ESTABLISHMENT IN ENGLAND AND IRELAND.

THE Poor Law in England dates from about the beginning of the Reformation. This coincidence is a strictly logical one. The well-springs of charity had just been dried up by the destruction of the monasteries, and the dispersion of those religious orders which had always generously shared with the poor their bread and the alms of the faithful. Their confiscated property had become the treasure of the new State Church, of the King its head, and of its dignitaries. The care of providing for the poor, whom Catholic charity had for ages clothed, fed, comforted, and instructed, fell upon the nation at large. The sums required for this purpose became an item in the national budget, just as any others of the public service. There was a poor-rate, just as well as there was an army-rate. Alms were no longer, according to the true spirit of the gospel, a spontaneous offering made to indigence in proportion to the good-will and means of the giver; but a forced contribution, a subsidy of obligation, and a necessary part of the mechanism of the administration of taxes.

This violent revolution, this so radical transformation of Poor Relief, produced a corresponding change in the new legislation also impregnated with a new spirit.

The Catholic Church ever had bowels of compassion and a real mother's heart for the poor. She had learned from our Saviour himself to look upon them as the privileged ones of his love, the continuers on earth of his mission of suffering and expiation, the born heirs of his kingdom. To the eye of Faith the poor is not only "the confidant of Jesus Christ, and

a co-operator in his great work;”\* his tattered garments are a kind of royal mantle covering the majesty of another Jesus Christ. For what is done in His name to the least among His little ones is done to Himself.† He who feeds, who gives a drink to, who clothes or assists the poor, gives meat and drink to Jesus Christ, assists and supports Jesus Christ himself. In times of fierce and bloody struggle, even when the rudeness of barbarian manners more than once overcame the spirit of kindness so characteristic of the Church, the deep thinking and compassionate men of the middle ages always treated the poor man as a brother, honored the hand which received his alms, reverently kissed the sores of the mendicant, surrounded the leper with a charity equal to his misfortune, and in their piety wrote over the portals of the houses built for the poor the name of Him whom they believed they were serving in the person of the poor. Like the sanctuary, the Hospital and the House of Refuge was called the *Hôtel-Dieu*.

Brought about in England chiefly by greed of wealth, the Reformation conceived for the poor nothing but contempt. If in the new laws the rate-payer was not spared, the poor man was in his turn treated as an enemy. He was no longer honored, but proscribed; no longer served, but hunted down; no longer loved, but despised and feared. His condition was as humiliating and as cruel as that of a slave, who depends on the caprice of his master.

The first royal statute which made Poor Relief compulsory was an act of Henry VIII., passed in 1536. By it sheriffs magistrates and vestrymen were authorized to “levy” “voluntary” alms. Any person convicted of giving alms otherwise than through these officers was to be sentenced to a fine ten times as large as the amount given. As to beggars who persisted in appealing to public charity, they were to be whipped for the first offence, to have the right ear cropped for the second, and for the third to be executed as felons and enemies of the Commonwealth.‡

This severe statute, the execution of which was impossible, did not prevent the increase of vagrancy and mendicity.

\* Bossuet : *Sermon on Jesus Christ as an object of scandal*.—2nd point.

† Matth. xxv. 46.

‡ “This statute (27 Henry VIII., c. xxv.,—1536), is remarkable as having first introduced the system of compulsory charity. . . . Almsgiving otherwise is prohibited on pain of forfeiture of ten times the amount given. . . . A sturdy beggar is to be whipped the first time, his right ear cropped the second time, and if he again offend he shall suffer execution of death as a felon and an enemy of the Commonwealth.”—(*Report of his Majesty's Commissioners for inquiring into the administration and practical operation of the Poor Laws, 1834; pp. 6 and 7.*)

Under Edward Vith\* a new statute was enacted against vagrants and importunate destitution. It was supposed to be more lenient than the former. By it mendicants were to be only branded on the shoulder with the letter V. (*vagrant*). In case of relapse they were sentenced to slavery for two years; their master being allowed to feed them on bread and water, and to chain them up. Runaways had the letter S (*slave*) seared into their necks, and were condemned to slavery for the rest of their lives. In case of relapse they were to suffer death; (1547).†

Eight other laws passed under Elizabeth attempted to secure Relief for the Poor by voluntary alms, and to repress mendicity by penalties worthy of Draco.‡ All these efforts were futile. A Poor-Rate had to be established by an act of the forty-fourth year of her reign, such as it has since continued through all the succeeding revolutions and changes of dynasty in England.

By this act the vestrymen of each parish, assisted by two, three, or four, of the chief proprietors, and by two or more justices of the peace, were to be elected yearly in Easter week as administrators of the parochial poor law. This office obliged them to find work for the able-bodied poor; and to provide assistance for children, and for the sick and decrepit. In order to meet the expenses of this administration they had to levy a tax upon the parishioners proportioned to the means of each. This rate was obligatory, and the property of those refusing to pay it could be distrained.§

We are not going to follow through all its changes during the seventeenth, eighteenth, and first half of the nineteenth century, the application of the English system inaugurated by Protestantism as a palliative to the excessive evils it had wrought.

\* Sacrilegiously called "St. Edward," in Fox's *Martyrology*!

† Same Report, just quoted; pp. 7, 8.

‡ See among others 14 Eliz., c. v. (1572): "All persons thereafter set forth to be rogues and vagabonds, or sturdy beggars, shall for the first offence be grievously whipped, and burned through the gristle of the right ear with a hot iron of the compass of an inch about; for the second, be deemed as felons; and for the third, suffer death as felons without benefit of clergy."—(Report before quoted, p. 10.)

Four years subsequently God raised up in France the man destined to close the wounds inflicted by Protestantism on the social economy of Christian nations. If the evil was immense, the remedy was proportioned to it. God provided it in the extraordinary development and the prodigious fruitfulness of a charity which like the grain of mustard seed in the Gospel grows every day, spreads out its branches loaded with fruit over the whole earth, and instead of declining in time multiplies from year to year its marvellous and touching creations. Saint Vincent de Paul was born in 1576.

§ "An act for the Relief of the Poor; Anno regni Eliz. 43." (The complete text of the act will be found in the Appendix to the Report of 1834.)

At a relatively recent period, in 1834, the poor law had to be reformed, and the enormous taxes required for its execution to be diminished, since they had become a fearful burthen on property, and instead of remedying the evil tended but to spread and aggravate it.

Up to that period, notwithstanding the spectacle of traditional destitution which Ireland presented to the world, after seven hundred years of war, spoliation, and ravage, nothing similar had been done for her. Did this arise from indifference to sufferings which only weighed upon the Catholic part of the population? Did it arise from a fear of increasing the already heavy burthens of the rate payer? Was it from a presentiment that the effect of such a measure would be out of proportion to the extent and depth of the evils to be remedied? Was it, in fine, a secret instinct that warned the Protestant legislator that the introduction of the English system into Ireland would, in spite of the material good produced, be necessarily both in form and execution repugnant to the character and to the deep Catholic feelings of the Irish nation?

All these motives may have simultaneously concurred in the conclusion. Still, as public distress was increasing from year to year, the English government thought of introducing into Ireland a system of public charity analogous to if not completely identical with the system which had been working in England for two centuries and a half. Accordingly an enquiry into Irish distress was opened by order of parliament in 1834-1835.\* The principal members of the Commission were: Dr. Whately, Protestant Archbishop of Dublin; Dr. Murray, Catholic Archbishop; Messrs. Carlisle; Corrie; Vignoles; More O'Ferrall; &c. This Commission entered into a complete examination of the question, and into the most minute details of the situation of the working classes.

The year following (1836) a Special Commissioner, Mr. Nicholls,† was sent to Ireland by Lord John Russell, to study and submit to government a plan for the administration of a poor law.

This new enquiry was conducted with excessive haste, little in harmony with the grave problem to be solved. At a time when compared with our own travelling in Ireland was extremely slow, in *nine weeks* Mr. Nicholls had made his inspection, taken his notes, come to his conclusions, and prepared and presented his Report! To any one that reads this work it is clear that the author looked at Ireland but through English prejudices. We have consequently to regret the absence of

\* "The Irish Poor Inquiry."

† Afterwards Sir George Nicholls, K.C.B.

that character of truthfulness, of extreme care, and of perfect exactness, so strikingly evident in the Report of the Commissioners of 1835.\*

It was according to the conclusions presented in Mr. Nicholls' Report that Parliament adopted, in July 1838, the first Poor Law enacted for Ireland.† Under the provisions of this law the construction of a certain number of establishments for the reception of the destitute was directed, and the proprietors of each county were rated for their support.

Twenty-three years have rolled by since these new institutions of public relief were established; a considerably larger space of time than would suffice to furnish matter for an impartial and complete judgment upon the results attained and the influence exercised by them.

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## CHAPTER II.

### THE CENTRAL BOARD; (POOR LAW COMMISSION).

The administration in chief of the poor law, is, in Ireland, entrusted to a Commission consisting of five members resident in Dublin. The Chief and Under Secretaries of State always belong to this Commission *ex officio*, as honorary members.‡ This Commission directs and controls the acts of all local administrations; confirms the appointment of all functionaries; regulates expenses; examines accounts; and judges all those administrative acts of which the poor law may be the object or the pretext. In all these matters its authority is supreme; it is at once a ministry, a court of audit, and a court of appeal. For all acts performed in virtue of its triple quality it is responsible to parliament alone.

The authority of this Commission, as wide as it is powerful, is daily exercised upon questions which intimately concern the gravest interests of the Irish people. Fifteen§ years ago it was the arbiter of the fate of two millions of men; and if since that time the numbers of those dependant upon public charity has progressively decreased, it is no less true that the

\* It is M. Gustave de Beaumont that thus appreciates Mr. Nicholls' report, (vol. i. p. 361). If the judgment is severe, at least the character of the judge is above all suspicion.

† An Act for the more effectual Relief of the Destitute Poor in Ireland; (July 31st, 1838).

‡ Thom's *Off. Direct*; 1862; p. 775.

§ In 1847, and 1848.

Dublin Commissioners are the sovereign masters of the destiny of the poor of Ireland.

Now the poor of Ireland consist chiefly of the native population, the Celtic Catholic race. It is this population which the strangest and most continuous trials have for ages devoted to unceasing misery, and to the most cruel privations. Had the English Government called in Irishmen and Catholics to sit in a council where the fate of many thousands of Irish Catholics is determined, it would have done but an act of equity and decency; it would have honored itself by shewing that it looked upon the Emancipation Act as a reality; it would thereby have put an end to much distrust, calmed anxiety, and dispelled the suspicions of a people whom adversity may have rendered distrustful but who would have appreciated the delicacy of such a proceeding and answered this upright conduct by sincere gratitude.

Instead of this, what has been done? For the last twenty-three years, the vast administrative and executive powers at the head of the poor law mechanism have been centered in the hands of an almost exclusively English and Protestant Commission.

It is true that sometimes an appeal is made to Parliament against abuses of authority committed by the Chief Commissioners;\* but such an appeal cannot possibly secure any effectual protection to those who stand most in need of it.

How then had the ministers of Queen Victoria the courage to reproach the Austrian government with confiding the administration of Venice and Lombardy to Germans, when in spite of the solemn protests of the Irish Episcopacy, in spite of the reiterated remonstrances of the press, in spite of the regard due to propriety and to public opinion, they invest five Protestant Commissioners, four of whom are English, with an all but absolute power over a large portion of the population of Ireland? Are they not aware that in maintaining so insulting an anomaly they wound the Catholic conscience in its most delicate and most sensitive part? Is it not evident that this mass of poor whom misery annually obliges to appeal for help to public charity is treated like a vanquished population in whose case neither right nor misfortune is respected, since it is placed in dependance upon an almost irresponsible Commission, whose members are not only foreigners but hostile to the faith of the country?†

\* We shall have to speak further on of the affair of Father Fox, at Dublin.

† For example, at this moment, the Secretary for Ireland, Sir Robert Peel, an *ex-officio* member of the central Poor Law Commission. (See *ante*, p. 9, as to the sentiments of Sir R. Peel towards the Catholics.)

Let us however leave the region of constitutional metaphysics; let us come to facts. All these poor shut up in the workhouses are called citizens of the United Kingdom; the equals in rights and privileges of the Protestant city merchants, and of the wealthy manufacturers of Manchester and Leeds; enjoying like them the privilege of being governed by the elected of the nation, and of living under the most liberal rule in the world. What a mockery! As a matter of fact, who are the arbiters of the fate of these unfortunate people? Who judges whether they get enough to eat, and whether in their case any respect is shown to those sacred rights of conscience which are the last treasure of the poor after the ruin of his temporal hopes? Those supreme decrees of life or death of body and soul emanate every one of them from that English Protestant pentarchy. Now it is assuredly morally impossible that its members should not carry with them into the administration of the poor-law, (and especially into all questions touching the spiritual,) national or religious prejudices; in general the best disposed wishes and most liberal intentions will as it were necessarily break upon the rock of prejudices such as these.

Up to the present neither the executive nor the legislative power seems to be concerned at this manifestly outrageous anomaly. It appears to both those powers quite natural that Irishmen should not at all be called on to give any opinion upon the best way of relieving their fellow countrymen. To submit to a tribunal in which the Protestant element is four to one even questions connected with and differences arising out of the religious interests of the Catholic poor, seems to them quite a matter of course. It does not cause the slightest scruple even to statesmen who claim to be the very apostles of liberty of conscience all over the world; so thick is the cloud of Protestant prejudices against Catholics! to such a depth has the selfishness of conquest and domination penetrated the English government!

The poor law has been in operation in Ireland twenty-three years. During that period political power has frequently changed hands; seven changes of ministry have alternately passed it from the Whigs to the Tories and from the Tories to the Whigs again.

But neither the hottest of the Tories nor the most liberal of the Whigs have found anything to alter in this system. It would seem that in presence of the powerful unity of Catholicism, and the contempt and hatred which it excites amongst its adversaries, all political broils die away. To outrage and persecute it Lords Palmerston and Derby forget their differ-

ences, just as in Exeter Hall meetings for the same purpose Methodists and Episcopalsians, Lutherans and Calvinists, shout for once in unison.

How much longer are we to wait for the day when the British cabinet will at length understand that there is on this point a radical reform to be effected and urgent satisfaction to be granted to one of the most conspicuous and well founded grievances of the Irish people?\*

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## CHAPTER III.

### BOARDS OF GUARDIANS.

THE local administration is in each Union confided to the Board of Guardians. These Boards are composed of two very distinct elements, according as the Guardians form part of them by virtue of their office, that is as magistrates and unelected, or as they hold their place and power as the elected of the ratepayers.† The office of Guardian is an honorary one.

They it is who fix the poor-rate for the respective Electoral Divisions; who look after its payment; who apply it; and who in the weekly board meetings discuss and decide upon all questions of detail relative to the distribution of relief.

All Ireland has, since 1850, been divided into one hundred and sixty-three unions;‡ in each of which there is a poor-house, The “Masters” and inferior officers of these Workhouses are appointed by the Guardians.

The manner in which the local Boards of Guardians are composed affords more solid guarantees of equitable administration than the Superior Commission.

\* Among other protests entered against the exclusively Protestant and almost exclusively English composition of the chief Poor Law Board, one of the most solemn is assuredly that contained in a pastoral letter of the Archbishops and Bishops of Ireland upon the chief grievances of the country, dated the 5th of August, 1859. We may also refer to a very good article in the *Weekly Register*, in the same month; and one in the *Irish Quarterly Review* for October, 1859; p. 863.

† “*Ex officio*” and “elected” Guardians.—In the transaction of business the administrative correspondence and the care of the records of each Board of Guardians is committed to a *Clerk*.

‡ In 1841, there were but 92 unions; 106 in 1843; 113 in 1844; 123 in 1845; 129 in 1846; 130 in 1847; 131 in 1848-1849. The 163 existing unions are subdivided into 3,438 electoral districts. Since 1851 the Boards of Guardians have been authorized by Act of Parliament to form also Dispensary Districts. The number of these districts is 761; containing 1000 dispensaries, attended to by 773 doctors. Some districts have besides apothecaries and midwives.—(*Medical Charities Act*, 14 and 15 Vict. cap. 68.)



The Guardians who sit at their Boards *ex officio* are as a matter of fact but government nominees, since it is from government that they hold their commission of Justices of the Peace; but their influence is to a considerable extent balanced by that of the elected Guardians.

In England and Scotland ministers of religion may be members of Boards of Guardians, whether by virtue of any title held by them as Justices of the Peace, or by election. In Ireland however no minister of religion of whatever religious denomination can be a Guardian.

This difference is disadvantageous to Ireland. It is only to be explained, with many other anomalies, by the religious dissidences which separate Ireland from the rest of Great Britain.

It is in truth a matter of regret to see legally excluded from the administration of public relief the very men whom the nature of their functions brings most into habitual contact with the poor, and who best understand their habits and their wants.

On the other hand this exclusion is nowise a matter of surprise to us. The influence of the Catholic clergy in Ireland is such, that at nearly all elections of Guardians the Parish Priest the natural protector of the poor would obtain the majority of votes. Protestant ministers would have had to sit at the board simply in quality of magistrates. It was doubtless thought more prudent to forego their services than to render it possible for the Catholic clergy to exercise a dreaded control over the manner of administering public charity.

Now to any person that knows Ireland, and is familiar with the feelings of her inhabitants, the wretchedness of their condition, and the physical and moral wants resulting from that wretchedness, it is perfectly clear that this exclusion is supremely prejudicial to the interests of poor Catholics.

The priest is evidently the person in all the parish who according to the touching expression of Holy Writ best understands the poor, his wants, his afflictions, and his unspeakable trials both of body and mind. What an assistance would not his long experience be to the administrators of public charity! What a consolation would not his presence be to the unfortunate people, who entering upon an entirely new kind of life have always need of the protection of some one devoted to them! He would be to them a father and a friend, whose evangelical charity would soften down the stiffness and harshness of administrative forms in the dispensing of legal relief; but he is not permitted to lift up in the councils the voice of his wisdom and goodness! He is the watchful guardian, the

incorruptible defender of the rights of faith and conscience; but this protest can only reach abuses already committed; it is powerless to prevent those about to be committed.

This exclusion is doubtless equally enforced in the case of the Anglican Rector and of the Presbyterian Minister. It would seem therefore that it is rather upon the ecclesiastical than upon the Catholic element that the door of the Board room is closed. This apparent impartiality will however blind no one. It is well known that the Anglican and Presbyterian poor in the southern and western Workhouses form an almost imperceptible minority. Consequently the fact of their ministers not forming part of the Board of Guardians is in no way prejudicial to them. Is it not however highly prejudicial to Catholics, especially where they form nineteen-twentieths of the workhouse population, that their priests are not admitted with the other notables of the country to share in the good administration of the law, and in the charitable dispensation of public relief?

The manner in which these local Boards of Guardians are formed is open to another objection.

In this matter the fundamental principle of "no representation, no tax," is indeed less overlooked than in the formation of Grand Juries. Beside the *ex-officio* guardians sit the elected guardians; and election guarantees to the ratepayer the legitimate expenditure of taxes, and is a powerful engine for influencing the manner of relieving the poor.

These guarantees are however singularly lessened by the presence of *ex-officio* guardians, and by the peculiar system of voting which government has not undesignedly introduced into the local Boards.

*Ex-officio* Guardians represent on these boards the aristocratic and Protestant element, destined to counterbalance the liberal and Catholic element. Every magistrate is entitled, by virtue of his office, to sit on the board. Now we have shewn\* that in Ireland, as in England, "magistrate" and "wealthy landowner" are nearly synonymous terms. And the landed aristocracy of Ireland are generally Protestants. Hence it follows that by giving magistrates an *ex-officio* title to sit on Poor Law Boards, the Protestant conservative element has been favoured with a marked preponderance.

To convince oneself of it, it would be sufficient but to glance over the weekly reports of Board Meetings published in the local papers. In all discussions in which religious questions are discussed, the interest of the Catholic poor are usually

\* See *ante*, p. 24, *et seq.*

systematically\* if not hotly opposed by *ex-officio* guardians, members of the Protestant aristocracy. This is not surprising; since, on the one hand they belong generally to the Established Church, and on the other the very title by which they sit on these Boards renders them indifferent to the confidence of the ratepayer. Representatives of power and of the aristocracy, not of the people, they do not feel themselves bound to the latter by that feeling of responsibility which usually puts the elected in just dependance upon the elector.

One of the privileges granted to Boards of Guardians shows how jealously the government favours and supports the aristocratic element. We allude to the Vote by Proxy, a privilege which Guardians enjoy in common with the Peers of the United Kingdom. In fact the latter may although absent from the House of Lords exercise a real influence upon its acts by voting through another peer. Hence it happens that frequently upon a Bill being submitted to the examination of the Upper House, some one peer will register not only his own vote but those of five or six other peers actually at the time residing at Naples or at Baden. This extraordinary practice is called the *proxy* system.

In the House of Commons there is no similar arrangement. Each member there represents his constituents simply, and can only vote in person.

Upon this point Boards of Guardians enjoy the same privilege as the Lords, and for similar political reasons. Many large landowners, at once magistrates and *ex-officio* poor law Guardians, are usually absent, and spend a considerable portion of the year in England or on the Continent.† Were Guardians obliged to vote in person, the larger share of influence upon Boards would pass into the hands of the *elected* Guardians, whose very election obliges them to assist regularly at the Boards, and to take an active and constant part in matters relating to poor law. Under more than one state of circumstances this administrative influence might assume the character of real political power. For the Boards of Guardians have power to discuss the general interests of their respective Unions, to pass resolutions relating to the condition of the poor, and when necessary to address representations to government through the Dublin Board.

Now, since at the bottom of all the political difficulties of Ireland there lie, as we believe we have abundantly shewn,

\* We say *usually* not *invariably*; well knowing that there are many Protestant *ex-officio* Guardians who endeavour to give the poor the aid of which they stand in need, in nowise influenced by religious prejudices.

† See *ante*, Book II., Chap. V.; ABSENTEEISM.

social and religious questions of the highest importance; as the most serious grievances of that country are to be found in the abnormal condition of the agricultural classes, and in those Protestant prejudices which have survived the Emancipation Act; it is clear of what immense importance it is to a government at once English and Protestant that the decision of questions such as these should not be abandoned exclusively to the elected of the people. It is on the other hand also very clear how much that government must have it at heart to secure a decisive preponderance to that class of society which represents its policy, and whose interests are so closely bound up with its own. It is then for this reason that poor law Guardians have, like the members of the Upper House, the privilege of voting *by proxy*. Such and such a wealthy landowner can make but short and rare visits to his Irish estates; he still keeps up, however, by the intervention of a neighbouring landlord, the influence of his vote in all meetings of the Board of Guardians.

The presence of *ex-officio* Guardians and the system of vote by proxy thus secure to the aristocratic and Protestant element the chief influence in the local administration of the Poor Law.

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## CHAPTER IV.

### WORKHOUSE OFFICIALS.

PROTESTANT influence is all but exclusively predominant in the central administration; it is preponderant in a large number of the Boards of Guardians.

We cannot therefore be surprised at the part given to Protestants in Workhouse employment.

A Parliamentary Return prepared during the course of last session, on the motion of Mr. Monsell, member for Limerick, gives us interesting and significant information upon this head. This Return was furnished by the Chief Commissioners for a Committee of the House of Commons charged with an Inquiry into the working of the Poor Law in Ireland.

From this report we gather that in Irish Workhouses the Catholics form more than eight-tenths (nearly nine-tenths) of the total number.\*

Now, the principal offices in the Workhouses are divided as follows between Protestants and Catholics:

\* Exact proportion :— $\frac{87}{100}$

In each Union a paid "Clerk" is attached to the Board of Guardians. This office is very important in an administrative point of view; and where the Clerk is not the head, he is always the right hand of the District Board.\*

Out of 163 Clerks, there are 87 Protestants and 78 Catholics. In Ulster there are but five Catholics out of 45 Clerks.

The same unequal proportion is to be found in the situations of Matron, Shoolmaster, and Schoolmistress.

The "*Master*" is as it were the father of the family over the inmates of the Workhouse. The physical and sanitary care, the morality, the religious liberty, the good conduct of the house, the behaviour of the poor relieved there as well as that of the under officials, all this is under his immediate control. He it is who says or gets said in his name the morning and evening prayers; and indeed the daily dealings which his functions oblige him to carry on with the children brought up in the Workhouse, and with the sick, would seem to require that his religious belief should be in harmony with that of the majority of the poor confided to his care.

On the 1st of May 1861, out of 156 Workhouse Masters, there were but eighty-five (say  $54\frac{1}{2}$  per cent.) Catholics; and in Ulster, out of 43, three only were not Protestants.

To render these proportions still more shocking, the same report states that on the 1st of May 1861, in 16 Workhouses out of 163, there was *not one single* Protestant pauper; that in 14 others there was *but one*; and in fine, that in many other Workhouses the number of Protestants did not exceed *five*. Now in some of these same Workhouses either the Master, or the Matron, sometimes both, were Protestants.

Women are, as a rule more numerous than men in the Workhouses; it is therefore still more expedient, for the gravest reasons, that the Matron should share the religious belief of the majority of those under her care.

On the 1st of May 1861, out of 163 Matrons, 88, (or 54 per cent.) were Catholics. In Ulster, out of 44, three only were not Protestants; although in this same province the Catholics are much more numerous in the Workhouses than the Protestants.

If these observations are just in the case of the Master or Matron of the Workhouse, they assuredly gain in force in the case of Schoolmasters and Schoolmistresses charged with the education of children brought up in the Workhouses.

In fact, under the system at present in force parents are

\* "He is frequently the head, but always the hand, of the Board of Guardians."

relieved by the will of man from the sacred duty of the education of their children which the law of God imposes upon them.

As soon as a child can walk and do without the care of a mother he or she is taken away from her, and according to his or her sex is placed in such or such a part of the Workhouse. At rare intervals, on Sundays, at a certain hour, he can pass a short time with his parents. But the essential ties are for all the future broken; the parents have no longer any control, nor surveillance, nor action, over the education of their children; the schoolmaster and schoolmistress are invested with the rights and functions of father and mother.

On the 1st of May 1861, the 163 Workhouses of Ireland contained 16,517 children; of whom about nine-tenths were Catholics. The return informs us that out of 90 schoolmasters, 63 were Catholics; and out of 162 schoolmistresses, 117 were Catholics. In Ulster alone 21 schoolmasters out of 22 were Protestants; and out of 39 schoolmistresses five only were Catholics.

Thus in ten Workhouses of that province, in which there were, on the 1st of May 1861, 2,100 Catholic children,\* the schoolmasters and schoolmistresses were all Protestants.

At a few steps distance from their children, separated from them only by a little court and the pitiless provisions of the Workhouse rule, are the father and mother who have come to destitution perhaps from no other cause than for having willed to defend the conscience and faith of those very little ones against unjust compulsion. They must however silently and in the secrecy of their souls suffer the bitter thought that their child is exclusively subject to the influence of such an education. What a respect for the rights of others! What a sincere practice of liberty of conscience in a rule under which such anomalies are habitual, and where to verify them it is only necessary to glance at the official reports of the administrators! Was not O'Connell very right to oppose as he did the establishment of the poor-law in Ireland? And are not the Catholic bishops but too well justified in entering against such a system a unanimous protest?†

To conclude: if we add to the preceding classes of officials

\* At Belfast, 548; Londonderry, 268; Newry, 244; Downpatrick, 176; Enniskillen, 167; Armagh, 163; Omagh, 152; Castleblaney, 148; Lurgan, 148; Monaghan, 126.

† "How could we pass by unnoticed the danger to the faith of Catholic children in Workhouse schools under Protestant teachers, and the attempts to protestantize by force of pretended laws, having no real existence, the poor deserted children of Catholic parents?—(*Pastoral Letter* of all the Irish Bishops, 5th Aug. 1859.)

that of the Workhouse and District Infirmary Doctors, we arrive at a total of 1700 officials; (Clerks, Masters, Matrons, Schoolmasters, Schoolmistresses and Doctors.) Of these 720 are Catholics, and 980 Protestants; and this in an administration charged with giving the benefit of public aid to a destitute population of whom about nine-tenths are Catholics!

## CHAPTER V.

### POOR-RATES.

It has been justly observed that the Tax for the Relief of the Poor is not a *cess* or fixed tax; but a *rate*, or in other words an imposition which increases indefinitely in proportion to the demand, just as in a mutual assurance company.\*

Moreover, this tax is not uniform throughout Ireland. The expenses of a Workhouse are provided for by each Union; and the expenses of keeping the poor are levied upon each Electoral Division, in proportion to the number of poor relieved.†

Hence arise marked differences in the manner in which poor-rates affect property, according to the Electoral Division in which it is situated, and according to the exigencies of the year.‡

A change has frequently been called for, both through the press and through Parliamentary petitions, in the present method of levying the poor-rates by Electoral Divisions, with a view to making the tax uniform throughout the Union.

\* M. Jules de Lasteyrie; "L'Irlande, depuis la dernière famine;" (*Revue des Deux-Mondes*; Aug. 1st, 1853; p. 506.)

† The Electoral Division is a subdivision of the Union.

‡ The year 1849, instanced by M. Jules de Lasteyrie in the above quoted article, was a very heavy one in this respect. The nett produce of real property in Ireland being estimated at £13,187,421 (according to the official valuation made in 1841, under the direction of the Poor Law Commissioners) the poor-rates of 1849 amounted to £2,177,651; that is to say, about one-sixth of the estimated income. This inequality becomes very evident upon comparison of the following figures:

	Valuation of Income.	Poor-Rates in 1849.
Londonderry, (Ulster),	£111,959	£7,199
Lisburn,.....(Ulster),	136,397	4,294
Westport,..(Connacht),	38,876	32,113
Clifden,.....(Connacht),	22,426	22,526

—(See *Revue des Deux Mondes*, Aug. 1st, 1853, p. 506.)

In fact, it often happens that the results of the present system of taxation are such as these:

Each Division being of small extent, the rate generally weighs upon a small number of proprietors and occupiers. Now we have said above that if the general expenses of the Workhouse are levied by Unions, these expenses are apportioned over the Electoral Divisions according to the number of poor relieved. Therefore the less the number of poor in a given Electoral Division the lower is the rate there. Many proprietors are therefore but too naturally tempted to clear their estates of every family whose position would increase in their case the amount of the rate upon their electoral division.

It is sad to think that of late years more than one eviction has been determined by this sordid calculation; and that thus the effect of the poor laws has been directly contrary to that professed to be intended by the authors and administrators of it. It has made paupers before affording them relief; and the families of poor tenants ejected from their holdings, and thrown out on the high road by a landlord anxious above all to diminish his share of the poor-rates, have been victimised by a law nominally made for the relief of the unfortunate.

This system has not only in the case of many families been the starting point of a long series of misfortunes; but it still maintains at the expense of certain ratepayers so unjust an inequality that the protests made against it can in no way surprise us.

In fact, since the general expenses of the Workhouse are levied by Unions, all the Electoral Divisions forming the subdivisions of the Union are inseparably connected with each other. If one of them throws off part of the burthen which it had to support, that part necessarily falls upon the others, and but too often upon those which were already the most heavily rated.

This difference is especially sensible as between the country and town Divisions, and is explained by the selfish proceedings of the landlords.

What becomes of the evicted tenants who do not possess the means required for Emigration, and who are unwilling to betake themselves immediately to the Workhouse? They leave the rural district in which they were living, and where they have no chance of getting work or a livelihood. They flock into the towns; settle down; struggle for a time, but unsuccessfully, against poverty; and are soon obliged to have recourse to public relief.\*

\* See last Book ; Chap. I.



In this case, however, the expenses of this relief fall upon the Electoral Division in which they happen to be at the moment they apply for that relief; that is to say upon the town ratepayers, already more heavily taxed than the country one. They cannot avoid this increase of taxes. Once in the town the poor remain there; they can never get back to the rural district from which they have been expelled. Thus it happens that in the same Union, there are often such marked and inequitable differences between the Electoral Divisions.\* We shall quote a few examples taken from the most authentic documents.

The total amount of Poor-Rates levied in the Cork Union for the six years from 1854 to 1860 was £153,700. Of this sum £100,600 was paid by the Electoral Divisions of the City, and only £53,100 by the Rural Divisions.†

In the Electoral Division which comprises the town of Kilkenny, for the seven years ended 1857, the estimated annual value being £29,198, the Poor-Rates amounted to £34,626; that is, in that Electoral Division 23s. 6d. in the pound was paid; whilst in the Rural Divisions of the same Union, with an estimated revenue of £71,764, the Poor-Rate amounted only to £34,626, (9s. 6d. in the pound).‡

In the same seven years, the Electoral Division of the town of Cashel was taxed to the amount of £20,987, with a revenue of £11,441; or 31s. 6d. in the pound: whilst in the Rural Divisions of the same Union only £52,182 were paid upon an estimated revenue of £94,661; or 12s. 1d. in the pound.

Many similar cases might be adduced in addition to the preceding. They would go to prove that generally the city Electoral Divisions are much more heavily rated than the rural. This fact has two grave disadvantages attending it. The first is that of rendering the Poor-Rate odious to the heavily taxed ratepayer; the second that of inspiring the Guardians of these urban districts with a desire of reducing as much as possible the amount of relief given to the poor, and of administering the poor-rates with excessive economy.

\* See upon this question an excellent article in the *Cork Examiner* of August 31st 1860. The writer clearly proves that taxation by Unions would prevent the abuses arising from taxation by Electoral Divisions. It would have the extra advantage of allowing of an administration both more economical, and better calculated to meet the wants peculiar to each locality, than county taxation, and especially than a uniform taxation for all Ireland, which would have all the disadvantages inherent to a system of centralization.

† Speech of Sir John Arnott, Mayor of Cork, and member of Parliament for Kinsale, at a meeting of the Board of Guardians, Aug. 29th 1860.

‡ So in Youghal, Ennis, Clonmel, Waterford, and New-Ross. (See pamphlet entitled "*Reform of the Poor-Law System in Ireland*," by Denis Phelan, Late Assistant Poor-Law Commissioner, and Poor-Law Inspector;" Dublin 1859; pp. 24 et seq.)

The chief Poor Law Commissioners enjoy, it is true, a discretionary power of altering the limits of Electoral Divisions, independently of the Boards of Guardians. This power however they are not very desirous of exercising, on account of the difficulties to be overcome. It is to be desired in preference that the system of taxation by Unions, adopted in 1837 by the House of Commons, should no longer meet in the House of Lords with that opposition which determined its rejection in 1838; and that thus within the same Union the burthen of taxes should be equally distributed among the ratepayers.

Added to all the other local rates, and to the many taxes with which Ireland is already burthened, the Poor-Rate is in itself a very heavy burthen. From the time when Workhouses were first opened until 1860 the following is the amount of Poor-rates levied annually, and of poor relieved:\*

Year.	Amount of Poor-Rates.	Number of Poor relieved.
1840	£ 37,057	10,910
1841	110,278	31,108
1842	281,233	87,604
1843	244,374	87,898
1844	271,334	105,358
1845	316,025	114,205
1846	435,001	250,822
1847	803,686	417,139
1848	1,835,634	2,043,505
1849	2,177,651	2,142,766
1850	1,430,108	1,174,267
1851	1,141,647	755,347
1852	883,267	519,575
1853	785,718	409,668
1854	760,152	319,616
1855	685,259	305,226
1856	576,390	217,136
1857	498,889	190,823
1858	456,880	183,056
1859	413,596	159,131
1860	454,266	179,514

As may be seen from the preceding Table, there has been since 1852 a large and constant falling off in the amount of Poor Rates, and in the number of poor relieved. The only exception to this was the year 1860, during which 20,000 additional poor were relieved, and £40,000 additional expended.

\* Thom's *Off. Direct.* ; 1862, p. 696.—And last *Report of Poor Law Commissioners* ; 1861, p. 114.

This progressive falling off in the number of poor and in the amount destined for their relief is one of the chief arguments alleged to show that Ireland is on the road to incontestable prosperity, and that she has never been so happy. It is however easy to prove by the help of the preceding table that if the Ireland of 1860 and 1861 be compared with the Ireland of 1840-1845 the advantage is not with the former term of the comparison.

In fact in 1841, with a population of 8,171,114 inhabitants, the poor-rates amounted only to £111,270; in 1860 with a population of 5,764,545 the poor-rates amounted to £478,566; that is to say they have more than quadrupled whilst the population has decreased by a third.

If *Poor-Rates* have thus increased it is evidently because there are more *poor* in want of relief: £111,270 out of a population of over eight millions in 1841; in 1860, out of a population of less than six millions nearly six times the number of poor; (179,514.)

Of one thing there can then be no doubt. Twenty years ago, with a much larger population, poor-rates weighed less heavily on the country. May the real progress of Ireland soon put her into such a position that there will be no more poor to be relieved, and no more money required for the purpose, than during the six years which immediately preceded the great famine!

However great may be the amount of the poor-rates at the present day, we must not however therefore suppose that the whole of this sum is expended in relief given to the poor.

One of the great defects of the present system, and we have heard the most moderate and competent men speak of it in very strong terms) is, that a large proportion of the tax levied on the ratepayer for the relief of public destitution is expended in the administration of that relief.\*

Thus in 1848, out of a total of £1,835,634 expended, the mere salaries of functionaries and other expenses of administration amounted to £504,920; in 1860 out of £454,266 they amounted to £876,070; that is, to more than a quarter of the total amount.

It sometimes happens that, in certain Workhouses, the salaries of functionaries, independently of election expenses, &c., amount to more than the sum expended on the poor. Thus,

\* "The valuation in French money of administration expenses for the relief of the poor will better exhibit the enormity of the abuse. This machinery costs in Ireland seventeen millions of francs (£680,000), before a single pauper has been relieved."—(Jules de Lasteyrie; *Revue des Deux Mondes*, August 1st, 1853.)

we find in the last official Report published by the Poor Law Commissioners, that during the first half-year of 1860 this anomaly existed in several Unions. We shall quote a few curious instances.

In Dunfanaghy Union, (Donegal), the sum expended on the poor amounted to £85; the salaries of Workhouse officials to £101. At Ballimoney £200 was expended on the poor, and £244 on officials. At Carrick-on-Shannon £229 on the poor, and £267 on officials.

Exceptional as are these anomalies, they remind us not a little of our own fiscal system before the Revolution. The rate-payers had enormous subsidies to pay, but a small part of which fell into the royal treasury. The rest remained in the hands of the farmers of the revenue, and of all kinds of financial agents, who took their quota out of the revenue before the king could obtain wherewith to pay his troops or fit out his vessels. In the same way, the amount of poor-rates in Ireland is neither proportioned to the number of poor relieved nor to the amount of relief given. The expenses of administration are too large, and annually absorb too large a share of the taxes.

But why these enormous expenses for administration? Why this army of functionaries? Why so intricate and expensive a machinery? Why a system which betimes is more expensive in proportion as there are less poor to relieve? and how comes it that these objections only bear upon the manner in which poor-law is administered in Ireland, and that neither in England nor Scotland similar complaints are heard? In what does the mode of dispensing legal charity in Ireland differ from that in use in Great Britain?

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## CHAPTER VI.

### MODE OF DISPENSING RELIEF.

IN England and Scotland the greater part of the relief given is Out-door Relief. In Ireland, with very few exceptions, the poor obtain relief only in the Workhouses.

Not that in the latter country the law prohibits the giving of Out-door Relief; on the contrary it authorizes it; and during the years of the great famine, when the poor who were to be snatched from certain death were counted by hundreds of thousands or rather by millions, the greater part of the relief given was Out-door. But under ordinary cir-

cumstances Out-door Relief, the usual method pursued in England and Scotland, may be considered as an exception in Ireland.

This fact is easily verified by figures; after which we must examine its causes and state its consequences.

In 1857, in the 629 Unions of England and Wales, 816,982 poor were relieved; of whom 113,395 only in the Workhouses, and the remaining 703,587 at home.

In Scotland relief was given to 119,453 persons; of whom 113,434 received Out-door relief, and only 6,019 relief in the Workhouses.\*

During the same year the administration of public charity in Ireland distributed relief daily to an average of 51,726 poor; of whom 50,772 in the Workhouses, and only 954 at their homes.

This difference in the manner of dispensing relief entails another in the annual budget of each of these administrations.

Thus, the sum of £5,668,141 expended on the poor of England and Wales during the year 1857 was laid out as follows:

In-door (Workhouse) Relief . . . . .	£1,088,577
Out-door relief . . . . .	£3,153,278
Salaries of Officials; expenses of repairs, and other expenses of administration	£1,426,286
Total . . . . .	<u>£5,668,141</u>

During the same year, the expenses in Ireland amounted to £498,218; out of which the expenses of repairs, salaries of officials, and other administrative expenses, amounted to £203,122.

So that considering the number of poor relieved, the annual expense represented by each individual,—whether in receipt of in-door or out-door relief,—was:

In England . . . . .	£6	18	8
In Scotland . . . . .	4	17	8
In Ireland . . . . .	9	12	7

The same figures show equally clearly that in Great Britain (England, Wales, and Scotland) the average number of poor in receipt of out-door relief was 1 in 25 $\frac{3}{4}$ , and of those in receipt of in-door relief 1 in 175.

In Ireland, on the contrary, the average of poor receiving in-door (Workhouse) relief was 1 in 118, and of those receiving out-door relief but one in 6300.

\* From the official Reports published in 1858; quoted by Dr. Denis Phelan, *Reform of the Poor Law System in Ireland*; p. 1.

If then we were only to consult the figures,\* which show the proportion of poor relief to the total number of inhabitants, our readers would have to conclude that the labouring classes are better off in Ireland than in England and Scotland!

But this conclusion is loudly contradicted by facts. Although the number of poor in England and Scotland is very large, whose sufferings deserve all the attention and philanthropy of the public relief administrations, it is however well known that destitution is in Ireland far more general and more intense.

No other conclusion can be drawn from these figures than that in Ireland, whilst each pauper costs more to keep, the amount of relief distributed is hardly sufficient. This arises from the fact of the administrative expenses being too great, and of the relief given being too exclusively In-door, instead of being as in England and Scotland more generally Out-door Relief.

But since the Irish Poor Law does not prohibit the giving of out-door relief, why do not guardians avail themselves of a power which would enable them to assist a larger number of poor? Why in fact is nearly the whole amount at the disposal of the administration expended on in-door relief alone,

\* A few examples will better show the contrast:—

	Population.	Daily average of poor relieved.	Proportion.
County of Suffolk (England), . . .	337,215	25,305	1 in 13½
Unions of Armagh and Monaghan } (Ireland), . . . . . }	306,201	1,069	1 in 286
County of Northampton (England), . . .	212,380	11,596	1 in 17
Unions of county Down (Ireland), . . .	205,394	1,160	1 in 177
Counties of Cambridge and Hunting- } don (England), . . . . . }	249,508	16,159	1 in 15
County of Tyrone (Ireland), . . . . .	266,258	952	1 in 271
County of Durham (England), . . . . .	390,997	15,961	1 in 24½
County of Antrim (Ireland), . . . . .	405,854	2,665	1 in 152
County of Aberdeen (Scotland), . . . . .	212,711	8,027	1 in 26½
Counties of Sligo and Leitrim (Ire- } land), . . . . . }	206,955	907	1 in 228
Counties of Sutherland, Caithness, } Ross, and Inverness (Scotland), . . . }	245,472	9,570	1 in 25½
County of Donegal (Ireland), . . . . .	240,292	620	1 in 385

—(These figures extracted from Official Reports are quoted by Dr. Phelan ; p. 5.)

entailing all kinds of expenses for which the poor are the pretexts but by which they do not benefit?

It is because in reality the Irish law, while it seems to authorize out-door relief, yet indirectly obliges the poor to submit to shut themselves up in the Workhouse if they want to be relieved.

In England and Scotland relief is given to whoever is temporarily unable to provide for himself and his family; poverty, sickness, want, are the only conditions which it is necessary to prove, in order to have a claim to poor-law relief.\*

In Ireland any person holding a farm and cultivating more than a quarter of an acre of land cannot get out-door relief, nor be temporarily received into the workhouse.† Now as nothing is more common in Ireland than that a man should hold half an acre of land and at the same time undergo excessive privations; when the peasant has tried all means of escaping from the misery which presses him in every direction he has no resource left but to abandon his cabin and his little holding, to shut himself and family up for ever in the Workhouse.

This terrible *quarter-acre* clause caused, a short time ago, grave embarrassment to the administrators of public charity, in one of those crises of distress through which the West of Ireland passes nearly every year.

The official Report published in 1859, by the Commissioners, states that during the famine which afflicted the island of Iniskea (Belmullet Union), from the summer of 1858 until the spring of 1859, the inhabitants of that island endured all the extremities of hunger before they would consent to give up their little holdings. In England and Scotland they would have been spared these cruel sufferings. A statement of their distress would have immediately procured them relief, and entrance into the workhouse would not have been the necessary condition upon which that relief would be granted.‡

\* "The only fact to be considered by the guardians (in England) is the destitution of the applicants. . . . Out-door relief is not unfrequently given to persons holding 3, 4, or 5 acres of land, and possessing a cow or other property."—(Answer of an English Poor Law Inspector to a letter of Dr. Phelan; *Reform, &c.*, p. 14.) "No person in Scotland is excluded from relief by the occupancy of land, or the possession of small articles of property, if, on due inquiry, his means of subsistence prove insufficient."—(Mr. Walter, an official in the central Poor-Law Board of Scotland.)

† "The Irish poor law declared that no person in the occupation of more than a quarter of a statute acre of land shall be deemed to be a destitute person; and that no person occupying more than that quantity shall obtain relief either in or out of the Workhouse."—(*Rep. of the Poor Law Commis.*, 1848, p. 17; 10 Vict. c. xxi., §. 10). [This oppressive enactment has but just been repealed—since the publication of this work in the original.]

‡ "We feel bound to point out, that the main difficulty with which we are

A considerable number of families tried to keep their holdings and cabins, by living for several weeks on nothing but the gills and entrails of fish. An official of the administration, an eye-witness of this destitution, declared that nothing but the keenest hunger could have induced human beings to partake of such repulsive food.\*

Things came to such a point that not daring to violate the law even in presence of such extremities its administrators themselves were obliged to evade it. They ordered the guardians to give out-door relief, not to the head of the family, who having more than a quarter of an acre of land refused to go to the workhouse, but to his wife and children.†

Compared then with the English and Scotch system, the method of giving relief in Ireland has the triple disadvantage of:

Being proportionately dearer,—

Relieving less poor,—and

Subjecting them to very hard conditions.

To prove the latter assertion we must follow the poor Irishman into the house officially destined to receive him and to secure him from hunger and misery. It is time to knock at the Workhouse door and enter.

## CHAPTER VII.

### WORKHOUSE DIET.

SCARCELY had the poor law mechanism been put into operation in Ireland when a French publicist accused it of being the embodiment of rigour rather than that of charity. "Alms are offered with one hand," he exclaimed, "and a prison door opened with the other."‡

Nothing is more accurate than this view of Irish Work-

contending is the existence of that state of the law which makes it illegal to relieve the head of a family, as a destitute person, so long as he retains the occupation of land exceeding a quarter of an acre."—(12th Ann. Rep. of the Comm.; 1859; p. 18.) "I have offered an order to the Workhouse; they refused."—(Report of an Inspector, 12 Jan. 1859.)

\* They are official Reports which enter into these lamentable details. "I have known several families to boil and eat the gills and entrails of fish; and when I asked if it was a usual thing with them to do so, they told me it was not, but that they had nothing else to eat; and I do think that nothing but the keenest hunger could induce any human being to partake of such repulsive food."—(12th Ann. Rep. of the Comm., 1859, p. 49.)

† Same Report.

‡ M. de Beaumont, Vol. II. p. 131. M. de Lasteyrie expresses himself in nearly the same terms.—(Revue des Deux-Mondes, Aug. 1st, 1853; p. 504.)



houses. They are real bastiles, in which the families of the poor are confined and subjected to a treatment inferior both materially and morally to that of the common prisons.

The fundamental principle of the administration of Workhouses in Ireland is, that life there shall be made to border as closely as possible on destitution. By this means it is proposed to banish from them those of the poor who would come thither only to live in idleness at the expense of the ratepayers. To exclude idlers and pretended paupers is undoubtedly the part of good administration. But is it therefore necessary to treat the poor in such a manner as to make them envy the lot of the very felons? Is it therefore necessary to subject them to a treatment such that with a little reflection they might come to the conclusion that as far as law goes it is less disagreeable to be punished as a thief than relieved as a pauper.\*

Here we have something more to fall back upon than administrative reports and official figures. We speak from observations made during frequent personal visits to workhouses, and also from the comparison we were enabled to institute between the fare of these houses and that of the Dublin and Cork prisons.†

The buildings erected in each Union since 1840 to serve as Workhouses have generally an imposing aspect.‡ To judge by the exterior alone, one would be inclined to consider the poor very fortunate at having exchanged their wretched cabins, so badly protected against wind and rain, for these vast well-built houses, generally placed as they are in very healthy spots. The treatment of the poor inside is however far from answering to these appearances.

In English Workhouses and Irish Prisons the fare consists of three meals daily; breakfast, dinner, and supper. Meat is allowed twice or three times a week.§

In Irish Workhouses the adults have but two meals; break-

\* It is not uncommon among the Workhouse paupers to find some who will commit certain offences *in order to be put in prison and to enjoy prison fare.*

† Principally the admirably conducted prisons of Mountjoy, Dublin, and Spike Island (Queenstown, Cove). I take this opportunity of expressing my grateful thanks to John Lentaigne, Esq., Inspector General of the Irish Prisons, and to Peter Hay, Esq., Governor of Spike Island, for the valuable information they did me the honor to communicate to me, whilst personally showing me over these prisons, and patiently explaining the minutest details.

‡ The Blue Book of 1848 contains in an Appendix the plans of the different buildings forming a Workhouse.

§ Ex:—Mile End Workhouse (London), and Birmingham Workhouse. In Wandsworth Jail, a few miles out of London, meat is given four times a week. In an account of the weekly expenses of the Birmingham Workhouse, for the 1st of June, 1860, we see put down as consumed 5,928 pounds of bread, 222 pounds of butter, 129 pounds of cheese, and 1,728 pounds of meat. (*Parish of Birmingham, No. 484; Financial, Statistical, and Medical Statement, for the week ending Saturday the 7th of June, 1860.*)

fast at 9 o'clock in the morning, and dinner at 4 in the evening. Supper there is none; and from 4 o'clock in the afternoon till the next morning the poor get *nothing*.

Meat is exclusively reserved for the sick. The able-bodied poor get some once a year, on Christmas day; and even this is not in virtue of a general rule: every year as the feast approaches the guardians deliberate on this point.\*

As to the meat which is given to the sick, if in all other workhouses it is similar to what I saw in one of them it will be easily understood that it must have lost all its nutritive properties before being served up. It was a piece of beef which had been *steamed* for *eighteen* † hours. The broth, largely diluted with water, and with some rice, maize, and vegetables, again boiled in it, made up the principal part of the meal given to the able-bodied poor.

We have been frequently present at the paupers' dinner in the workhouses; and in comparing their fare with that of our alms houses and charitable institutions in France we more than once thanked God that our poor were not condemned to such a system.‡

All this is met, we are well aware, by the answer that at home the Irish peasant scarcely ever tastes meat, and that he is during three quarters of the year subject to the greatest privations. It would therefore but ill become him to complain of workhouse fare. Besides, to give him more abundant and better food would be attended with one serious disadvantage; it would tempt him to give up work and an active life. Sure of being properly fed at the public expense, the labourer would no longer make any effort towards industry, sobriety, forethought, and order. By doing then what is just sufficient to prevent the poor from suffering absolute hunger, and by making work-

\* *Dublin News*; description of Christmas in the two Unions of that town. The Workhouse poor of Ballinasloe got no meat on Christmas day 1861; (See *News* of Jan. 4th, 1862.)

† We cannot forget the artless satisfaction with which the Master of the Workhouse in question showed us this meat destined for the infirmary, and which was reduced to the state of a fibrous and thoroughly dry tissue!

‡ A few years ago, an Anglican minister, who had come to Paris to make a rich marriage, visited the Old Mens' Alms-house in the Rue du Regard, at that time conducted by the Little Sisters of the Poor.

He was shewn into the dormitories, the sitting rooms, the refectory; he knew that the food was composed of the leavings which the Little Sisters daily beg in the houses of the gentry and the restaurants of the capital, and which on their return they divide into two parts, giving the better one to their guests, and keeping for themselves the leavings of the leavings. The gentlemanly clergyman looked upon all this with disgust, and declared on leaving it that the house was not "*comfortable*!"

Alas! what would he have said had he seen how his brothers in Jesus Christ are treated in the Workhouses of Ireland?

house life as uninviting as possible, their interest is consulted as well as that of the ratepayer whose burthens are already very heavy although the poor but very ill fed.

But let us ask whether that system of public charity is an efficient one which still allows the poor to feel the pangs of hunger, although it does not exactly allow them to fall victims to it? and, besides, is it true, after all, that by reducing the fare of the Irish peasant in the workhouse as nearly as possible to what it was in his cabin, that the demands of humanity are satisfied?

In truth, if at home the peasant has but too often to undergo great privations, if he is not even sure of getting the two scanty meals given him at least regularly by the workhouse authorities, are not the conditions of health very considerably changed for him when he is no longer free to come and go at will, and when after having for years breathed the fresh air of the country he is obliged to shut himself up in a house without any hope of getting out?\*

Are people unaware that these are precisely the reasons which compelled the authorities several years ago to change the fare of prisoners undergoing a long period of imprisonment? Now, in a large number of cases, once in the workhouse it is as though a sentence of imprisonment for life had been passed upon the poor:† the rest of their life will be passed in this confinement,—more prejudicial perhaps to the health than that of prisons, since in the latter time is taken up in different employments, among which are compulsory manual labour, and regulation walks.

\* This remark we find in one of the Poor Law Commissioners' Reports: "There can be little doubt that Workhouses, like barracks or other institutions in which numbers of persons are lodged together, and take exercise in places enclosed by walls, are peculiarly favourable to the spread of this (ophthalmic) disease when once introduced, and to the development of severer types than prevail among persons not subject to such confinement."—(Blue Book of 1852; p. 15.)

† We find this observation in the 6th Annual Report of the Directors of Prisons in Ireland; and it appears to us important enough to be quoted verbatim.

"It is frequently observed by those who are only superficially acquainted with the treatment of criminals that the dietary of convicts is too high. They seem to forget or never to have understood that *the longer period of imprisonment requires a better dietary to support the constitution*. This question was discussed very thoroughly twelve years since by the ablest medical authorities, and finally settled."

It has been observed in a prison in Dublin that the daily use of *stirabout* for breakfast engendered among the prisoners a habitual tendency to inflammation of the bowels and stomach; its use has been suppressed, and it has been replaced by tea and milk. *Stirabout* and Indian-corn flour occur almost daily in the regulation food of the healthy adults.

In the Appendix will be found the Official Table of the daily diet in one of the Dublin Workhouses.

## CHAPTER VIII.

## CONDITION OF CHILDREN IN THE WORKHOUSES.

For the last few years, the diet of children in Workhouses has been the subject of particular attention. In a certain number of Workhouses ophthalmia and scrofulous diseases spread with frightful rapidity, and medical men have unanimously attributed it to the bad quality of the food.

It has been calculated that out of 11,534 children admitted into the Cork Workhouse from 1852 to 1859, that is during eight years, 2,373 died, that is a little over 20 per cent.\*

Wherefore the Mayor of Cork used these remarkable expressions: "The result of my enquiries has led me to the deliberate conclusion that it would be a mercy to close the gates of the Union House against them, and let them attain the mercy of death, rather than be reared deformed, maimed, and diseased objects, through the system of feeding them, to which I have reason to believe their terrible state is attributable."†

For want of proper and varied food,—he continues,—the blood of these poor creatures becomes so impoverished, that instead of carrying into the organization vigour and health, it is but a medium the circulation of which carries into all the members only weakness and disease.

Two years previously, in the month of June 1857, two guardians of the North Dublin Union made a motion to the Board couched in these terms:

The Board having learned that a large number of children are at present in the hands of the police, and that it is intended to send them to the workhouse, that the Clerk be directed to write to the police authorities and to request them to keep these children, "as it would be nearly certain death to receive them into this house."‡

And again, à propos of a discussion touching the religion in which two children were to be brought up, one of the authorities made the following terrible avowal: "I think it a thousand pities to lose so much time about a matter of no consequence, because every man knows that from the system of

\* *Investigation into the condition of the children in the Cork Workhouse*; by Sir John Arnott, M.P., Mayor of Cork; 1859; p. 3.

† *Ibid.*, p. 7.

‡ Motion of Messrs. Arkins and Hardy, June 10th 1857.

the house, not one of these children will be alive this day twelvemonths.\*"

One of the fundamental objections made against Workhouse diet is its dreadful sameness.

Thus, supposing the quality of the food left nothing to be desired, which is not the case, still a continual repetition of the same food causes a loathing for it: the children leave part of their meals untouched, even when actually hungry; and hence they are thin, wan, and predisposed to contract those fatal diseases which attack the very vitals of the constitution.†

The evidence of the Protestant Chaplain, the Rev. Mr. Clifford, and that of other persons who visited the Cork Workhouse, confirmed these sad details; all agreed that the food was bad in quality, insufficient in quantity, and much worse than prison fare.‡ We must however add here that since this enquiry, in consequence of the noise made by it in the English and Irish press,§ the Chief Commissioners and Boards of Guardians have paid special attention to this important part of their administration, and have made some improvement in the food given to Workhouse children.|| It is to be hoped that this is but a first step towards those indispensable reforms without which legal charity in Ireland would have of charity nothing but the name.¶

But too soon deprived of a mother's care, which no one can replace, these infants even if they had proper and abundant food would be in a situation extremely unfavourable to their

\* North Dublin Union; Mr. Roper;—(quoted by Professor W. Neilson Handcock.)

† Witness what was said by a medical gentleman called upon to give his opinion touching the physical state of the children in the Cork Workhouse; (Enquiry of 1859): "I asked for a bowl of soup; I examined and tasted it; and I found it almost perfect water. . . . I went along the form where they were at the meal, and I found some of the porringers untouched, and some of them only half eaten. . . . Why don't you eat your food? They said: I can't, sir, I don't like it. Are you hungry? I am, sir."—(Albert Callanan, M.D.;—*Investigation*, &c., p. 18.)

‡ "Your food in the Workhouse is terrific."—(Dr. Croly; Surgeon to the City of Dublin Hospital.)

§ In the Appendix to the pamphlet published by Sir John Arnott, several articles are given from the *Globe*, *Daily Express*, *Dublin Evening Post*, *Freeman*, *Northern Whig*, *Irish Times*, and *Dublin Evening Mail*,—not to speak of the Catholic papers of the other cities of Ireland.

|| Fresh bread has been substituted for biscuits in the case of children under two years of age; fresh milk instead of skimmed milk (previously given) to children from two to five years; &c.—(See Resolutions of the Board of Guardians of Cork Union, 1st fortnight of June 1859.)

¶ Apropos of this question an English lady, quoted by Sir John Arnott, observed: "That our legal charity machine is about as much charity in the Christian sense as the praying machines of the Tartars' piety;"—in allusion to a ridiculous custom of the idol worshippers in Tartary and India, who walk round their pagodas a certain number of times carrying in hods heaps of books full of prayers.

growth and strength; the blood becomes rapidly impoverished in these wretched little creatures; and hence premature disease, and in a great number of cases no chance of growing up to youth and manhood.

Besides the scrofulous affections so common in the Workhouses, numerous cases of ophthalmia and blindness occur among the Workhouse children.\* We could observe in the Workhouses we visited one circumstance apparently insignificant in itself, but which has more to do with these eye-diseases than might be supposed. In the workhouses the walls of all the rooms, dormitories, refectories, class-rooms, &c., are white-washed. Is not this rude and uniform colour, striking unceasingly upon organs already weakened, likely to fatigue them beyond their strength? Would it entail any very great expense to mix with the lime a little blue or green tint so as to soften it, and render the light more bearable to the children, the aged, and the sick.†

It is but too easy to verify the existence of these ophthalmic and scrofulous affections by visiting the workhouses. A simple method of drawing the attention of authorities to this important point would certainly be to make an observation to that effect in the visitors' book.

There are unfortunately but too many persons who consider themselves obliged out of regard for the managers of the Workhouse to sacrifice truth and the interests of the poor. How then is it possible for authorities, even with the best intentions, to strike at abuses which nobody points out? With that inclination so natural to man to believe that whatever he does is well done, how can we be astonished that reforms are not effected where neither shortcomings nor imperfections are signalized?‡

\* This disease is pointed out in the strongest manner in the official Blue Books.—(See that of 1851, p. 8, § 16, 17, 18.) That of 1852 speaks of the “alarming spread of ophthalmic disease in the Irish Workhouses;”—(p. 14; § 24 and 25.)

† One day we took the liberty of calling to this point the attention of a Chairman of a Board of Guardians, a member of Parliament, and a man both very enlightened and very charitable. He made a note of this observation, considering it well worthy of the attention of the Guardians.

‡ In the very one out of all the Workhouses of Ireland in which perhaps we saw the greatest number of children afflicted with the various stages of ophthalmic disease, even to complete blindness, an English traveller had written in the Visitors' Book the following remark, which we copied, before entering our own impressions: “Very favourably impressed with the *comfort*, cleanliness and good order which appear to prevail.” The “cleanliness” and “good order” were certainly remarkable, and but a just testimony to render to the Workhouse Master; but as to the word *comfort* it is but an unfortunate, indeed almost a cruel expression to apply to a Workhouse. We cannot but ask whether it would have not been more to the credit of this traveller's head and heart had he stated how painfully he had been affected at the sight of the premature disease with which the children of this house were stricken?

Other details of Workhouse life might be pointed out as worthy of comment. The poor, even the children, are without shoes or stockings during the greater part of the year: they go about barefooted even in rooms, which like the refectories and class-rooms, for instance, are tiled, and consequently extremely cold: the beds of the sick are both too narrow and too hard, and in cases of long sickness must grievously try the patients: in fine, in the case of the latter especially, there is a general want of that attentive and affectionate care which, in our French almshouses and hospitals, consoles the poor sufferer in his isolation and forced separation from his friends, care which cannot reasonably be expected from the under officials who have charge of the Workhouse sick.\*

However the material aspect of the Workhouse is by no means the most open to objection.

After all, granted that the Irish poor are accustomed to suffer, and to suffer much. Wretchedness against wretchedness, they undergo less privations perhaps in the Workhouse than in their cabins. They are at least certain not to die of hunger or exposure; and rough and sometimes scanty fare is preferable to be obliged to go at low-tide and gather *sea-weed*, to fill the stomach and cheat hunger of its prey.

But man does not live by bread alone. All is not said, when his material wants are satisfied. If the body require food and raiment, so the soul also has its wants. These poor have their feelings, affections, principles; they have wants of mind and of heart; how are these wants satisfied? They have spiritual interests; how are these interests protected? There are the rights of soul, of conscience, of virtue, of faith; in what manner and how far are these rights respected?

Economists, physiologists, physicians, think that taking into account the enormous sums paid by the ratepayer for the support of the poor, the latter might receive material aid both more abundant and better in quality. It is the duty of the Christian moralist, and especially of the priest, to enquire whether in those houses to which so many poor families are forced to resort,† those moral and religious guarantees are secured to them to which they have the most sacred right.

\* The above is a summary of the author's personal observations during his visits to the Workhouses in Ireland.

† On account of the rarity of Outdoor relief, and the *quarter-acre clause*.

## CHAPTER IX.

## DANGERS TO MORALITY.

IN case of the admission of a family into the workhouse, (and this case is the most frequent), the simple fact of admission severs every bond between its members. The husband is separated from the wife; children are separated from parents; brothers from sisters; and with the exception of the brief interviews allowed by the house rules, it may be said that they are no longer anything but isolated individuals; the family as such has disappeared.\*

Now it is easy for any one acquainted with the domestic life of the Irish people, for any one who has penetrated at all into the interior of their families, always so numerous and united, in which the sentiments of Christian faith lend a certain character of sacredness, of piety, and of infinite tenderness to the bonds of nature,—it is easy we say for such a one to picture to himself the grief caused by this forced separation, and the manner in which it aggravates the already heavy load of misery and physical suffering. But how shall we express the keen the deep anguish of those hearts, which had hitherto leaned on their mutual affection for support, on that day when suddenly and unexpectedly the fatal notice to quit drives them to seek Workhouse Relief;—when that husband and that wife are forced to separate,—that father and mother to bid adieu to their children,—and to see violently broken that admirable and touching bond of unity in a Christian family, which was in brighter days the marriage pledge, the ideal of their life, and we must add the evident will of God?

Who can appreciate the load of chagrin, the bitter thoughts, the deep discouragement and despair, which fill the soul of that young mother suddenly reduced to forestalled widowhood, who whilst suckling the infant that clings to her breast knows precisely the day and the hour on which the rule of the workhouse will take it utterly away from her? We speak here but of anguish and tears, and they are natural; but have

\* Quite recently, (Oct. 1861,) the Board of Guardians of Greenwich Union (England) unanimously adopted a resolution, by virtue of which permission is granted to husband and wife to live together in the workhouse, when they are above sixty years of age; (Meeting of the Guardians of the Greenwich Union; Mr. Carter, Chairman.)



morality and virtue nothing to dread from these unnatural proceedings? Do not the fundamental duties of domestic life run great risk of being forgotten where domestic life itself no longer exists?

And again, what shall we say of the poor orphans suddenly left by the death of their parents without support and without guidance, and placed in contact with all kinds of persons from without, among whom destitution is but too frequently the consequence of vice?

This deplorable contact, in which the good have everything to lose and nothing to gain, has already produced a marked and fatal effect on public morality. According to official reports the number of illegitimate births has increased largely in the workhouses within the last eight years. In 1854 the proportion was estimated at 20 per cent. on the total number; in 1859 at 49 per cent.; and the ten Inspectors under whose supervision are placed the 163 workhouses of Ireland unhesitatingly attribute the progress of the evil to the daily intercourse of women already corrupted with the poor children who are suddenly deprived of the experience and wise counsel of their mothers.\*

There is another cause no less productive of this fatal ingress of immorality into Workhouses. Workhouses which ought if we may judge from their name be Houses of Work, are usually anything but such, and especially for young girls.† How can anything be conceived better calculated to assure in future the triumph of the most fatal and degrading passions, than these habits of idleness contracted in youth, and the impossibility in which the majority of workhouse children are placed of earning a livelihood by honourable toil?

How can we be surprised that at times English writers reproach the Irish people with their fondness for whiskey; if men who from duty or taste actively interest themselves in the

\* See the answers given in 1854 by Colonel La Touche, Chairman of the South Dublin Union Board of Guardians, before a Committee of the House of Commons; Lord Naas in the chair:

“Does a great want of classification exist?—Yes.

“Do you think that the practice is attended with great danger to the morality of the other inmates?—Yes. By the present Poor-law regulations a girl as soon as she comes to fifteen is drafted in amongst the adult females, who in the South Dublin Union are in great part women of the town, and there is a constant circulation from the Workhouse to the streets and to the brothels. It has been proved and ascertained that procuresses send in women on purpose to bring out the young girls.”

(See also an article in the *Irish Quarterly Review*, March 1857, p. 133).

† “Our poor houses should be rendered as much as possible the abodes of industry, where the youth of both sexes may be fitted for the duties of active life.”—(Sir John Arnott: *The Investigation*, &c., p. 41.—*Ir. Quart. Rev.*, July 1858, p. 689.)

moral and religious improvement of the working classes of the country state, with grief, that since the introduction of the present system there is a falling off in morality, that the number of natural children is increasing, and that the crime of infanticide hitherto unknown is beginning to form a part of every Quarter Sessions' Calandar; if in fine the bishops, in whose hearts each weakness and each scandal immediately wake the echo of a truly apostolic grief,\* find themselves obliged to warn the faithful against the perils to which their virtue is exposed under the present system of dispensing legal charity? Idleness and corruption; what else can such roots produce but rotten fruit, and what else can they propagate in society but the formidable contagion of evil?

But lately the whole Irish Episcopacy, assembled in a kind of national council, courageously raised their voice against this odious form of oppression, which strikes at the eternal interests of the poor, and seeks to strip them of the only treasure destitution has spared.†

This system is in fact not prejudicial to morals alone; it especially endangers the faith and religious belief of the majority of workhouse poor. The numerous facts of which we have to speak show, to absolute demonstration, that the system of public relief in Ireland is not simply Protestant in origin. It actually retains of that origin in practice a spirit which it manifests in all possible circumstances, and which acts against the faith of the Catholic poor as one of the most formidable of conspiracies and one of the most odious of those persecutions which it is our painful duty to denounce.

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## CHAPTER X.

### INTOLERANT SPIRIT OF THE POOR-LAW ADMINISTRATION WITH REGARD TO CATHOLICS.

IF we were to content ourselves with perusing in the collection of official documents the Rules laid down by the Commissioners relative to the admission of Paupers, the conduct of Workhouses, and the duties of officials, it would be easy to

\* “*Quis infirmatur et ego non infirmor? Quis scandalizatur et ego non uror?*”

† “The want of classification in the poor-houses; the absence of proper employment, and consequent idleness and vice; the bad character of many of the inmates; the reckless disregard of human life and comfort; and the total absence of christian consolation in their administration, (&c.) . . .”—*Pastoral Letter of the Archbishops and Bishops of Ireland assembled in Dublin the 23d April, 1861; p. 27.*)

conclude that nothing has been neglected to secure to Catholics the free exercise of their religion, and to remove even the shadow of constraint or oppression.

When a pauper presents himself at the Workhouse, he has to give his name, and the religion to which he belongs.\*

The ministers of the different religions who visit the workhouses are only allowed to instruct their own co-religionists. Consequently the Anglican or Presbyterian minister has nothing to do with the Catholic, nor the Catholic priest with the Protestant poor.†

If a pauper of sound mind ask to see the minister of a religion different from his own, he has to apply to the workhouse Master. The latter must make known his request to the Board of Guardians, in order that they may take it into consideration at their next meeting. In urgent cases, however, the Master or in his absence the Matron may at once consent to the request, and send for the minister asked for by the pauper.‡

Paupers registered on their entrance as Catholics, cannot be forced to work on the following holidays of the Catholic Church: The 1st and 6th of January, 17th§ and 25th of March, 29th of June, 1st of November, Ascension Thursday, and Corpus Christi.||

In each workhouse a Catholic chaplain, appointed by the Commissioners and receiving a salary, is charged with everything relating to worship and the religious interests and the instruction of the Catholic paupers. He may enter the Workhouse as often as he thinks proper, to visit the sick, and to administer the sacraments. As to the catechetical instruction of the young children, he gives it conformably to the rules laid down by the Commissioners of "National Education," who have the superintendence of all Workhouse Schools.

So far the Catholic poor of Ireland are placed in a position very different from that in which they are placed by law in the English Workhouses.

In England, in fact, a wicked and intolerant oppression is practised on a large scale, and with the most supreme contempt for the rights of conscience. There, thousands of poor, nearly all Irish, are subjected to a persecution all the more formidable because less apparent, and because working noiselessly it is under the cloak of legal hypocrisy that it makes conquests to a stern and persevering proselytism.¶

\* General Order, of Feb. 5th, 1849 (Art. 4.)—(*Blue Book* of 1849; p. 62.)

† *Ib.*, Art. 32.

‡ *Ib.*, Art. 34.

§ St. Patrick's Day.

|| Same Order; Art. 34.

¶ In order not to lose sight here of the principal subject, we beg to refer the reader to the end of the Sixth Book, where he will find in the form of an Appendix a summary of the condition of the Catholic poor in English workhouses.

Compared with the English law, Irish poor-law will appear, and in fact it is, much more tolerant. But independently of the fact that in Ireland Catholicism is the religion of the majority, and that it would have been absurd to attempt to apply the rules of English Workhouses to those of Ireland, where nearly all the inmates are Catholics, we must direct our attention to see in what spirit it is that the liberal dispositions of the law are carried out.

In England when the religion of foundlings is in question, the presumption is in favour of Protestantism. Nothing is more natural, since the Catholics are but a small minority in the midst of a Protestant nation.

But that this presumption should be the same in Ireland, and and that such should have been the solemn decision of one of the highest judicial functionaries at a time when the Catholics were nine to one, (in 1842),—what is it but a manifest violation of all equity? what but a public and formal contempt of the rights of the majority? would it in fact be possible in any way at once more gratuitously and more audaciously to outrage Catholic public opinion?

Yet such was actually the interpretation given to the law by Mr. Blackburne, Attorney-General for Ireland under the administration of the late Sir R. Peel. The Clerk of the Celbridge Union had applied to the Chief Poor Law Commissioners to ascertain in what religion a foundling should be brought up who had been taken into the workhouse at two years of age, and touching the religion of whose parents it was impossible to come at any information.

The case was referred to the Attorney-General, whose decision was that in all similar cases the child was to be educated in the religious creed of Protestantism, as being “the religion of the state.”\*

\* “I am of opinion that the guardians ought in such a case as this to cause the child to be educated in the religious creed of Protestantism, the religion of the state.” (F. Blackburne, 5th Jan. 1842;—12th *Ann. Rep. of the Poor Law Comm.*; pp. 153, 154). The Celbridge Union is composed of different portions of the three counties of Dublin Kildare and Meath. And the following is the proportion of Anglicans to Catholics, in these three counties, according to the *Census* of 1861 :

	Anglicans.	Catholics.
County of Dublin, . . . .	19,078	84,524
County of Kildare, . . . .	6,832	77,114
County of Meath, . . . .	6,584	103,489
Average, . . . .	10,831	88,375
Proportion { Catholics, . . . .	815	
{ Anglicans, . . . .	100	

This legal decision, like the interpretation of doubtful points of ancient law by the Roman lawyers, seems to have settled the practice on this point. To declare the State Religion of Ireland to be that of a small minority seems to those entrusted with the application of the laws and the administration of justice so very clear a principle, that since 1842 Mr. Blackburne's decision has ruled all similar cases;\* just as at Rome the answers of Papinianus were quoted as a commentary on the edicts of the prætors, or Blackstone at London on knotty points of the English Constitution.

Supposing, however, the child be brought to the Workhouse with a certificate of baptism in the Catholic Church, and the godfather or godmother certify the fact?

The concurrence even of those two circumstances does not constitute certainty sufficient to warrant the registration of the foundling as a Catholic! The case actually occurred in 1854; and the then Attorney-General, Mr. Brewster, was consulted on the point. He declared that in his eyes the production of a certificate of baptism was not decisive of the question;† since it was impossible to know whether the child had been baptized a Catholic with the consent of the parents! Another solution of the difficulty had then to be sought for, and in any case Mr. Blackburne's decision was to be adhered to.

If however the foundling had already been in the habit of making the sign of the cross, and of reciting forms of prayer exclusively Catholic, could the guardians taking all these circumstances into account overrule in such a case as that the famous decision of 1842? Would there not be a fair presumption then at least that the parents of the child were Catholics, and that it should therefore be registered as of course as belonging to that church?

One could scarcely suppose it possible that the concurrence of all these circumstances could in the minds of sober men fail to constitute a moral certainty, had not these same men betrayed in a written document which now figures among official papers the intolerance and fanaticism with which they are animated with regard to Catholicism. The text of this case, with the answer of Mr. Attorney-General Brewster, may be actually seen in the Twelfth Report of the Poor Law Commissioners (1859) at pages 154 and 155. According to this legal authority, the case is a very difficult one. Had the child

\* For example, in 1854, and in 1859.—(Same Parliamentary Report; pp. 154, *et seq.*)

† "I do not consider the production of the certificate of baptism at all decisive of the question at issue, (&c.). . . ."—(A. Brewster, Dublin, Aug. 12th 1854.—12th *Ann. Rep.* ; p. 155.)

come to the age of reason, and was it able to understand the meaning of these prayers and practices, it certainly ought to be registered as a Catholic. But as, possibly, a child born of Protestant parents might have been instructed in such practices and such prayers, it would not be proper to register it as a Catholic before having ascertained the religion of its parents!! If it were ascertained that the parents were Protestants, the child would have to be registered as such; the parents having no right to object to their child being brought up in the religious communion to which they themselves belong.\*

An affair of recent date shews us to what lengths the Poor Law Commissioners are determined to go, in order to uphold in spite of all evidence and in contempt of all justice the principle of Protestant supremacy, and the oppressive monopoly of the State Religion.

In November 1858 a foundling was taken to the Galway Workhouse by a Catholic, and contrary to the decision of 1842 was registered as a Catholic, and baptized by Mr. Daly, the parish priest of Galway, and Workhouse Chaplain.

The fact no sooner became known to the Guardians than the Protestant part of the Board strongly protested against the illegality of the Workhouse Master's proceedings, and wrote for instructions to the Chief Commissioners at Dublin.†

The Commissioners replied that the Workhouse Master had failed in his duty, and deserved to be removed from his office, for having registered the child as a Catholic contrary to the decision given by Mr. Attorney-General Blackburne in 1842.‡

In order properly to appreciate a fault rebuked with such

\* "Q. 3. Ought the Guardians, on such evidence of previous religious education as that supplied by the fact mentioned in the 2nd class of cases, viz., the child can go through the form of blessing itself, or can recite certain prayers, to register the child as of the religious denomination in which that form is practised?"—(Case laid before the Right Hon. Abraham Brewster, Attorney-General, dated 9th Aug. 1854.)

† Opinion thereon :

"This is a difficult question . . . It may happen that a child whose parents are of one religion may be so far instructed in some of the ceremonies of a different religion as to enable it to fulfil the conditions of this query, and in such a case it would obviously be improper to register it as of a religion different from that of its parents."—(A. Brewster, Aug. 12th 1854.—12th *Gen. Rep. of the P. L. Comm.* ; 1859 ; pp. 154—156.)

‡ "This proceeding is contrary to law, as the child should have been baptized in the religion of the State."—(Letter of Mr. James Cusack, Guardian for the Elect. Divis. of Slieveenena, Galway Union ; 4 Dec. 1858.)

† "It appears that when the child was first registered by the Workhouse Master its parentage was unknown to him, and he ought to have registered it as a Protestant, in accordance with the opinion given by the present Lord Justice of Appeal [Blackburne], when Attorney-General. If the Master fails to do his duty on any like occasion hereafter, the Commissioners would have to consider the propriety of his removal from his office."—(Letter of the Poor Law Commissioners to the Clerk of the Galway Union, 16 Dec. 1858.)

solemnity we must remember the respective proportions of Protestants of the Established Church and of Catholics in the province of Connacht, and in the county and in the town of Galway.

The last official Census (1861) gives the following figures:

	Protestants of the Established Church.	Catholics.
Connacht, . . . .	40,605	864,472
County of Galway, . .	8,534	245,950
City of Galway, . . .	786	15,553*

The Master of the Workhouse was reprimanded; but as the Catholic chaplain maintained in a letter to the guardians the lawfulness of his acts, and loudly protested against this "State Religion" doctrine, the Commissioners did not consider a mere warning sufficient. Five days after having received from an Inspector an official notice of the death of the child which had been the subject of this grave debate, they gave Mr. Daly his choice between resignation and removal.†

In vain did the majority of the Board of Guardians protest, strongly and repeatedly, against the manifest intention of the Commissioners.‡ The latter again ordered that every child should be registered as Protestant, until proof that it was not such, because Protestantism was the "State Religion"; and they removed the chaplain from his office!

A struggle of many months then began between the Board of Guardians and the central Board in Dublin. The former authorized their chaplain to continue to administer to the workhouse poor; and voted his ordinary salary.

But the Dublin Commissioners having obtained a decision against Mr. Daly in the Court of Queen's Bench for the illegal exercise of functions not belonging to him, and having obliged the guardians to pay back into the Union cash-box the sum "unduly" paid to the chaplain, the prolongation of such a debate became impossible. It could only tend to injure the spiritual interests of the workhouse poor. It was therefore necessary to yield, and the Bishop of the diocese, Dr. MacEvilly, consented to appoint another priest to the place from which Mr. Daly had been removed for no other reason than for having well performed his duty.

\* *Census of Ireland 1861; Enumeration Abstracts; Table II; pp. 10 and 11.* The proportions of Protestants to Catholics are, then, for the province, 1 to 21; for the county, 1 to 31; for the town, 1 to 19; average 1 to 24.

† The Inspector's Letter bears the date January 7th, 1859. The Order for Mr. Daly's removal is dated the 13th. (See the whole of this correspondence in the 12th Official Report of the Poor Law Commissioners, 1859; p. 107-133.)

‡ Meeting of January 14th, 1859; Official Correspondence, No. 13, p. 114.

This was a complete triumph for the Commissioners; their injunction had been enforced; the courts had pronounced in their favour; and, thanks to this victory, Mr. Blackburne's decision was likely to acquire the force of a principle incontestible in future; that principle being, that in a Catholic country every foundling is presumed to be a Protestant until the contrary be proved, because "Protestantism is the State Religion"!

Had victorious Orangism wished, on the day after the battle of the Boyne or the raising of the Siege of Derry, to mark by the proclamation of such a principle its hatred and contempt for the religion of the vanquished, the passions and principles of the time would be a sufficient explanation of the fact. These facts however actually occur and these principles are actually proclaimed more than a century and a half after 1689, under the very eyes of statesmen evidently the most "enlightened" and the most "liberal;" and yet people are surprised that the Irish Catholic has neither confidence in nor sympathy for a rule under which the rights of his conscience are held so cheap!—people are astonished at the increasing opposition met with by this rule on the part of the clergy, the natural defenders of the weak and the oppressed!—umbrage is taken at those who rise up against such guilty abuse of authority, and who rending the veil of hypocrisy under which skulks the spirit of the old Huguenot intolerance show it to the world such as it is, in all its repulsive ugliness, in all its hideous deformity!

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## CHAPTER XI.

### OFFICIAL CONTEMPT FOR THE CATHOLIC RELIGION.

THE influence of the "State Religion" is felt in a thousand other details of Workhouse administration, and displays itself in petty annoyances of all sorts, to which Catholics are subjected, and which even Chaplains do not escape.

Everyone in Dublin still remembers the summary sentence of removal pronounced by the Poor Law Commissioners against Father Fox, Chaplain of the South Dublin Union, because he had had the courage to point out shameful abuses prejudicial alike to the good conduct and morality of that house.\* In this

\* He complained of the incredible liberties taken with the workhouse women by the officials, under pretext of inspecting their clothes.



case however the Commissioners had the humiliation to see their conduct solemnly condemned by Parliament.

It is one of the glories of a free country that the nation can through its representatives pronounce finally upon all acts accused of arbitrariness or violence. The course taken by Parliament in this affair will certainly form one of the most glorious and purest pages in the history of the English legislature. It was one of those rare occasions upon which a feeling of justice, triumphing over the ordinary differences of sect and party, made so many men habitually opposed to each other in views and opinions feel and speak as one man.

The affair of Father Fox was laid before Parliament by The O'Donoghue, Member for Tipperary, in the form of a question addressed to the Minister.

He did not hesitate to expose broadly to the house, in all their details, the revolting proceedings of the Workhouse officials with regard to the female inmates; and he appealed to the house against the sentence of removal so arbitrarily pronounced against the chaplain. Mr. Cardwell, in the name of the government, attempted to palliate the injustice of the Commissioners, but in vain. The cause of Father Fox, so eloquently defended by the Member for Tipperary, rallied around it even the most Protestant members of the house, nay even to Mr. Spooner himself,\* whose votes under other circumstances are so uniformly hostile to the Catholic cause. Mr. Cardwell was obliged to give a promise to arrange the matter with the Commissioners, who speedily received orders to reinstate Father Fox.†

In the greater number of Workhouses there is neither a chapel nor even any decent room exclusively set aside for the Catholic worship. The chaplain has usually to celebrate the divine mysteries at a portable altar in the dining hall.‡

This arrangement is not only calculated to lessen the respect of the Catholic inmates for a worship which is obliged to be performed in an inconvenient spot, between breakfast and dinner; but it actually places Workhouses in a condition inferior to that of Prisons. In the latter, indeed, each religious body even has a special chapel; and they are even adorned with a certain amount of elegance, in order that the Lord's Day may be really a day of rest for the prisoners, and

\* Mr. Spooner is the member who every session brings forward a motion against the Catholic College of Maynooth.

† Commissioners' Letter to the Guardians; Oct. 9, 1860: "The Commissioners have given directions for the preparation of a Sealed Order, re-appointing Mr. Fox."

‡ "In the first introduction of the law the Dining Hall was generally assigned for a chapel."—(*Rep. of Comm.*; 1860; p. 13.)

that in the House of God they may be able, for the moment at least, to forget the sorrows of their captivity.

But in the Workhouses to have the refectory assigned to Catholics as a temporary chapel on Sundays, in such a manner that Mass once said and the altar removed there is not a spot in those vast houses to which the poor inmates may retire for a few moments to pray in silence, and taste in the presence of God a little peace and recollection, is to inflict an immense privation upon the Catholic poor.

Truly Christian souls, pious and feeling hearts will understand us when we say that among the trials of Workhouse life this is decidedly one of the severest; when we affirm that it contributes in a degree known to God alone to the sadness which overwhelms these unfortunate people. Wounded in their deepest affections, destitute of every species of human happiness, if the workhouse prisoners could at least participate in a privilege which the children of the Catholic church find in her, namely that of praying before a tabernacle resplendent with the glory of the real presence, their life would be less irksome and their captivity less monotonous. Instead of the friends from whom the Workhouse walls sever them, they would ever find there the invisible friend, that God of goodness and mercy who came on earth chiefly for the sake of the little, the poor, and the afflicted! The change which such an arrangement would produce in the order and discipline of these houses is scarcely suspected; nor how much easier it would be to establish obedience to the rule of man among those thus assisted and sustained by the presence of their God.

There are other details relating to the celebration of the worship, or to the fulfilment of duties imposed by the Catholic religion, which are frequently on the part of the authorities the object of a thousand annoying and most unbecoming restrictions.

In the North Dublin Union the place allowed for the celebration of divine worship is so small and uncomfortable that the whole of the paupers can with difficulty hear Mass, and it is next to impossible for the chaplain to give instructions there, since they could not be heard by two-thirds of those present.

For the last fourteen years, a request has annually been made that an end should be put to a state of things so prejudicial to the spiritual interest of the Catholic inmates of that house. This question is however invariably set aside by the Protestant majority of the Board of Guardians, and the demands of the Chaplains are looked upon as null.

In several unions of Ulster the Boards have frequently refused the grants necessary for the purchase of vestments and

the other expenses of Catholic worship; but as the law which ordains that provision shall be made in Workhouses for the celebration of religious services is a formal one, the Chief Commissioners have been obliged to require these Boards to go to the necessary expense.\*

Belfast, one of the richest towns in Ireland, possesses among its many public buildings a vast and imposing looking Workhouse. The reader would probably like to know where, for a length of time, the Catholic priest was obliged to hear confessions. Let him picture to himself a filthy lumber-room, in which the priest could scarcely find a place for his chair among old barrels, gallipots, broken bottles, rags and filth! We should have refused to believe such details had we not ourselves seen this hole, and taken the trouble to examine minutely its ignoble furniture. Weary of seeing his demands obstinately rejected by the Board, this Chaplain had, at the time of our visit,† refused any longer to make use of this filthy place for the administration of the sacrament of penance. We are not aware whether the Board has yet concluded that it is time to put an end to this humiliating indecency, and to treat the Catholic poor with the respect to which they are entitled.

At other times the administration takes the most jealous precautions to check the salutary influence which the Sisters of Charity might exercise on the female inmates of the Workhouse, were they freely admitted to visit them. Where intolerant Protestants are the majority, the workhouse door is usually closed upon the Sisters.‡

Last year, however, a remarkable victory was gained upon this point in one of the Unions of the West of Ireland, notwithstanding the energetic opposition of the Dublin Board.

At the close of the Autumn of 1860 the Limerick Workhouse contained 1230 paupers, of whom 30 only were Protestants.§ The infirmary contained 433 sick, of whom two were Protestants, and 431 Catholics.||

For a long time complaints had been made of the insufficiency of the attention paid to the sick by the house nurses. It was moreover nearly impossible for the Catholic Chaplain to undertake singly the enormous labour of visiting, consoling, and assisting all the sick.

\* *Blue Book* of 1860; p. 13.

† Sept. 1860.

‡ In 1858, in Ballinasloe Union, one of the Guardians asked permission for the Sisters of Mercy to enter the Workhouse for the purpose of visiting the sick and teaching the children their catechism. The motion was rejected by a majority of 17 to 14.

§ Inspector Bourke's Report to the Commissioners; (*14th Ann. Report of the Poor Law Com.*, 1861; p. 86.)

|| *Ib.*; p. 90.

In this state of things the Limerick Board resolved by a large majority to give the title of nurses to three Sisters of Mercy, from the Convent of the town, on condition of their giving a written promise to conform to the rules of the house, and to be subject to the control and supervision of the Master.

Besides this the Catholic guardians with whom the motion originated had asked for a room in the house to be exclusively occupied by the Protestant sick, and to be put under the charge of a Protestant nurse.

Every precaution had therefore been taken not to wound any just susceptibility on the part of the Protestants, and to assure a scrupulous respect for the rights of the minority. The measure was urged chiefly by the Chairman of the Board, Mr. Monsell, Member for Limerick, a man whose delicacy of character and whose liberal ideas sufficiently warrant us in saying that the interests of the sick alone, and not the thought of a vulgar proselytism,\* dictated the adopted resolution.\* To crown all it was supported by the Poor Law Inspector.†

The negotiations relative to this matter lasted more than two months and a-half. It may be seen from the official correspondence with what repugnance, indeed with what dread, the Chief Commissioners contemplated the bold innovation attempted in the Limerick Union.‡ Behind the three Sisters of Mercy, who were to attend the sick, they imagined they saw the whole Catholic Church invading the poorhouses; that these religious were its missionaries; and that there was every reason to fear they would introduce with them the spirit of discord and of sectarian fanaticism!§

No law however could be quoted against the regular appointment made by the Limerick Guardians; and confident in the strength of their cause they maintained their resolution with unshaken firmness. The Dublin Board yielded, and at last gave its assent; (January 15th, 1861.)

This is possibly the beginning of a peaceable revolution;

\* See in the *Blue Book* of 1861, (pp. 87 and 96), the memoirs drawn up by Mr. Monsell in answer to the observations of the Commissioners.

† "I should look with satisfaction at the hospitals of the Limerick Union Workhouse being placed under the superintendence of the Sisters of Mercy, whose large establishments in the city of Dublin, and other towns in Ireland, as well as over a large portion of the continent of Europe, afford evidence of their success in conducting such institutions."—(*Blue Book*, p. 87.)

‡ *Blue Book* of 1861; pp. 82-105.

§ "The Sisters of Mercy appear *in fact* to be regarded throughout as representing the interest of the Roman Catholic Church, and as in some sort ecclesiastical members of that persuasion. . . . The Commissioners consider it unfortunate that the proposal to appoint them has been made. . . . And they fear that an element of sectarianism and religious dissension has been thus unnecessarily introduced into the Board of the Limerick Union."—(Letter of the Commissioners, dated 4th Dec. 1860; pp. 92, 93.)

destined to change completely the character of Poor Law administration in Ireland.

Writing on this subject, two years ago, we said: "A day will come when yielding to evidence the English government will honour itself in the eyes of humanity by handing over the direction of the hospitals and workhouses, at least in Ireland, to those admirable religious orders which the Catholic Church puts at the service of destitution and suffering among all classes and all creeds. It will remember that the wounded of the Alma and of Inkermann received the first cares from the daughters of St. Vincent of Paul; and that by confiding the administration of charity to these souls burning with zeal and charity, it will hasten the cure of one of Ireland's most cruel wounds."\*

The measure adopted by the Limerick Board of Guardians, and sanctioned after a long resistance by the Chief Poor Law Commissioners, is a first and important step towards the realization of that wish.

The experiment made in this workhouse will not fail to show the inestimable advantages of such a measure to the sick, both in a material and a moral point of view. This experiment will not be the only one; other Unions will enter upon the Christian and liberal course which has thus been inaugurated. Protestant susceptibility will subside, and smile at its imaginary terror, when it sees that our sisters are missionaries of the charity of Jesus Christ alone, and that they are followed by no army of "papists" to convert by force the Protestant inmates of the Workhouses.

Let us congratulate the Limerick poor at having been chosen by Providence to be the objects of so enlightened an experiment; let us congratulate especially the Board of Guardians of that Union, and the honorable member of Parliament at their head, upon having done such signal service not merely to the poor of Limerick but to the Catholic poor of Ireland.

May consolation and hope enter with those saintly ladies, into those houses where there are so many tears to dry, so many evils to eradicate, so many downcast souls to buoy up! May our separated brethren especially lay aside, in presence of the marvels of Catholic charity, their unfair prejudices against the institutions and the works of a Church which three centuries ago was that of their fathers, and which will before three centuries shall have elapsed be again we trust that of their children!

Everything tends to render the Workhouse suspected by

\* *Revue d'Economie Chrétienne*; March 1860; p. 47.

and odious to the poor Irish Catholic. His bodily misery is but insufficiently relieved there. His faith is subjected to humiliating restraints. And he has always reason to fear that his children, without the reach of his influence, will suffer from the contagion of bad example, and become one day either by apostacy or debauchery the sorrow of his grey hairs.

Such however is the sad fate of those who have been unable to escape the fearful consequences of eviction by emigration, and whom a premature death has not saved from the last degree of destitution. Such is what legal aid does for a people whose native soil has been juridically confiscated, and on whom a State Church has been saddled, glutted even to scandal with the spoils of the vanquished. Does not this life, which the poor thus drag out in opprobrium and suffering, indeed well deserve the name given to it of "a dying life," of a long and cruel agony?

We cannot then be astonished at the repugnance which the poor generally manifest for the Workhouse. Too often even, as we learn from official reports, *they prefer to die* in utter destitution in their wretched cabins, rather than to let themselves be shut up for the rest of their lives in the Workhouse \* with the certainty of seeing all domestic bonds severed, and the too well grounded fear of having to suffer there evils more formidable than cold and hunger.†

M. Gustave de Beaumont, writing more than twenty years ago, that is whilst the system of legal charity was only being inaugurated in Ireland, accused it of giving relief in such a manner as to render it very undesirable. "In order to get it," said he, "the poor will have to sacrifice their liberty, and allow themselves to be thrown into a sink of corruption."‡

Another publicist judged this law still more severely, more than fifteen years after its enactment. He said: that had it not been for emigration it would have been attended with atrocious consequences to the poor; and that offering to the

\* "The unwillingness of some poor persons to avail themselves of this mode of relief has been so great, that they have sacrificed their own lives or the lives of their children by postponing acceptance too long, or by refusing such relief altogether."—(*Blue Book* of 1848, p. 17.—See also that of 1859; pp. 34, 51, 53.)

† "It is no cause of wonder if our poor people so deeply abhor the Workhouse, and are resolved to meet death (if God so wills it) disarmed of its greatest terrors, a remorseful conscience, on their own poor pallets."—(Letter of the Rev. John Barrins, P.P., Castleconnor, Ballina; published in the *News* of 13th Feb. 1862.) Most of the letters as to the famine of 1862, from the West and South of Ireland, testify the same repugnance. It is but then but ill reasoning to argue: the Workhouses are not yet full, therefore the people is not suffering. It needs but the mere *Blue Book* published by the Poor Law Commissioners themselves to refute this assertion.

‡ Vol. II; pp. 130 and 131.

unfortunate no means of rising again it rendered "all improvement impossible."\*

Have these sad forebodings been verified by events? Under the administration of legal charity in Ireland, is not the poor Catholic very much like an outlaw who as a punishment for being poor is treated with merciless rigour, and in whose case the first principles of common right are unscrupulously set aside?

But there is something even stranger and sadder still in the destiny of the Irish poor. Wherever they are, their birth always seems to be a kind of original stain upon them; an indelible brand, which singles them out for life as objects worthy of all the severity of English law.

Parliamentary documents throw the greatest light upon the abuse of which we are about to speak, and to which we shall consecrate a special chapter.

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## CHAPTER XII.

### REMOVAL OF IRISH POOR FROM ENGLAND.

THE English Poor Law gives relief to the Irish in England only on condition of their having a "*settlement*;" that is, of their having resided five consecutive years in the parish.

In all other cases, even supposing an Irish workman to have lived in England with his family for twenty or thirty years, and to have spent his health and strength in the service of English industry, England is not obliged to give him a morsel of bread in his distress, nor a bed in the hospital if he be sick. He is an Irishman; let Ireland look after her own poor.†

It is necessary to remark the peculiar position in which Ireland is placed by the English law. Between England and Scotland there is a reciprocity in this regard; and if England is not bound to look after the Scotch poor, Scotland may in her turn send back to England the English poor. Whilst in Ireland,—and this arrangement is undoubtedly the more Christian of the two,—every pauper, be he Irishman Englishman or Scotchman, is entitled to legal charity, the administrators of

\* M. Jules de Lasteyrie; *Revue des Deux Mondes*; 1st Aug. 1853; p. 504.

† The different laws upon this point are: 17 Geo. II., c. v.—59 Geo. III., c. xii.—5 Geo. IV., c. xxxiii.—3 and 4 Wm. IV., c. xl.—5 Wm. IV., c. lxxvi.—And still more recently, the 8 and 9 Vict. c. cxvii.

the English and Scotch unions send back pitilessly to Ireland every Irishman who cannot lay claim to a legal "settlement."

This law is daily carried out in all its rigour. Every day the very steamers which make for the English ports, laden with wheat cattle and butter exported from Ireland to the amount of £16,000,000 annually, return to Ireland with the poor Irish whom England refuses to relieve.

They are put on the decks of the steamers, without a covering, without food, without resources of any sort; with nothing but what the compassion of the captain or of the passengers may prompt them to offer them to prevent their dying of hunger. They are then put on shore, starving and half naked; and as they have no claim to relief except in the Union to which their birth-place belongs, they are frequently obliged to beg their way thirty or forty leagues before finding a shelter and the miserable relief of the Workhouse.

These removals are sometimes accompanied with proceedings so inhuman that the poor actually die on the way. In 1858 a jury in the Coleraine Union declared by their verdict that a pauper of the name of Daniel Langan died, because the Glasgow Workhouse authorities had put him in a state of sickness on board a ship for Belfast, from which port he had to make his way to Antrim.

These are not imaginary sketches. These details are extracted from documents the most positive, and the least open to suspicion when the shortcomings of English poor law have to be screened. It is the Dublin Commissioners themselves who give in their Reports these sad circumstances, and the deep discontent of Irishmen which is the result.\*

Both economists and moralists agree in stigmatising the absolute injustice of these legislative dispositions. It belongs, they say, to the community which has benefitted by the labour of an individual to help him to sustain the burthen of his trials. The right of choosing one's dwelling-place is a part of natural

\* "This additional burthen, accompanied by a sense of unfairness, creates some considerable degree of public dissatisfaction; but the feeling which predominates in the minds of the citizens of the towns referred to is one of commiseration for the persons who from time to time are landed on the wharfs and quays, at all hours of the day and night, in a state of absolute destitution;—especially for those who have been forcibly removed to a distance beyond sea from their connexions in Great Britain, after a long residence there, as is very frequently the case."—(11th Ann. Rep., 1858; p. 10.)

"We are of opinion that his death was hastened by his cruel forcible and improper removal from Scotland to Belfast by the Poor Law authorities there, when labouring under severe bowel complaint and general debility; (verdict returned by the jury)."—(*Ib.*, *ib.*; pp. 67, *et seq.*)



right, and to infringe that right is to violate both liberty and justice.\*

In a financial point of view the Irish Poor Law administrators, Commissioners and Guardians, protest against the extra expense to which these selfish proceedings on the part of Great Britain put them. But as the English and Scotch have the letter of the law with them, they stop at nothing in order to get rid of the Irish, and to send them home.

Accordingly cases of removal are very frequent. According to the last Parliamentary Report, in 1859 and 1860 there were 2,859 paupers removed from England to Ireland in virtue of the statutes 8 and 9 Victoria, cap. cxviii;—and this figure does not include those sent back from Scotland within the same period.†

This Report, a detailed and extremely interesting one, contains not only the name of each pauper, but the date of the warrant of removal, his birth-place, the port from which he was sent, and the amount granted for his journey.‡

The cruel abuses resulting from the application of this law have already frequently attracted the attention of Parliament and of the Cabinet.

In 1854 seventy-five Irish members drew up and signed a Memorial, praying that this law might be abrogated, or modified in such a manner as to relieve the Irish poor of a real oppression, and Ireland of a revolting inequality.

The Cabinet received the Memorial very favourably, and declared in favour of the justice of the demand.§ A member of the House of Commons (Mr. Baines) had brought in a bill tending to do away with the legislative dispositions which limited the distribution of relief given to poor having a settlement to

\* "To remove a man who has committed no misdemeanour from the parish where he chooses to reside is an evident violation of natural liberty and justice."  
—(Adam Smith.)

† Poor Removal; Return to an Address of the House of Commons; Aug. 3d, 1860. (See also in the 11th Report of the Poor Law Commissioners, 1858, a large number of cases of this kind.)

‡ Usually the English authorities allow these paupers but the insignificant sum of 6d. per head, even supposing them to have 60 or 80 leagues to travel after landing:

(Page 7 of the Report: Two paupers landed at Dublin and having to go to the Co. Mayo, the North-West extremity of Ireland, received each 6d. ;—page 8: three paupers landed at Dublin, one having to go to Limerick, the other to Longford, the third to County Roscommon, each 6d. ;—page 11: a family of seven persons landed at Dundalk and having to go to Leitrim, 3s. 6d., or 6d. per head.) In twelve cases alone, and for families composed of several persons, have the sums granted by English unions exceeded £1.

§ "The memorial which you sent me was taken into consideration by the cabinet yesterday evening, and they were of opinion that the case set forth is irresistibly established, and that justice requires that the wishes of the Irish members should be complied with."

their respective unions and parishes. Nevertheless the government did not avail itself of this opportunity to do justice to the request of the Irish members. Mr. Baines' bill contained no clause in favour of the Irish poor, and the removal law continued to be rigorously carried into effect.\*

The question was again taken up during the session of 1860, and many cases in which the poor sent back to Ireland had been treated with shocking inhumanity † were the subjects of parliamentary enquiries.‡

On the 13th of March 1860, Mr. Lanigan, Member for Cashel, exposed with force the (already known) abuses resulting from the application to the Irish poor of the 8th and 9th of Victoria. Shortly afterwards, (May 1st), at the request of the chairman of the North Dublin Union Board, a certain number of Irish members held a special meeting, with Mr. Monsell in the chair, in order to call the attention of government anew to this important question.§

After explanations entered into by the chairman, and speeches from several other members at the meeting, the following resolution was unanimously adopted:

"That it is the duty of the government to take immediate steps to effect such an alteration in the law as may secure after a certain length of residence in England a settlement for the Irish poor, and to put an end to the cruelties practised by the parish authorities of England by the removal of such poor and the hardships suffered by them."

\* In the course of the discussion, a member remarked how inconsistent it would be to modify the law for the English poor, and to allow it stand for the Irish poor in whose case it was attended with much graver inconveniences:—

"If all these evils exist, how long did hon. gentlemen expect to make a distinction between the case of the English and Irish poor? If the Irish poor were to be moved back to Ireland, would it be possible to say that the Englishmen could not be removed? If they took away the power of removing Englishmen, he defied them to retain the power of removing Irishmen."—(Mr. Henley.)

† For example, a pauper sent from Islington Union, first to Plymouth by sea, and then from Plymouth to Cork, who died of fatigue and exhaustion twelve or thirteen hours after his admission into the Killarney Union. The Coroner in giving the verdict of the jury said that "he came by his death in consequence of hunger and cold endured by him on his passage from London to Cork by long sea." "We further find that the parish authorities in London are directly responsible for the death of said Daniel Shea."

‡ Case of Mary Carter. See House of Commons' Debate, March 19th 1860; and a Parliamentary Paper, printed and distributed to members, on this affair, (No. 430).

§ Besides Mr. Monsell, member for Limerick, thirty-two other members were present at this meeting: Messrs. Henry Herbert, Major Gavin, Peter Quin, Stackpoole, Mac Evoy, Longfield, Dawson, Bagwell, Sir R. Levinge, Hassard, Beamish, Sir G. Forster, Col. Crofton Vandeleur, Sir W. Verner, the O'Connor Donn, Capt. Ellis, Gen. Upton, Col. Taylor, M. Calcutt, O'Brien, Capt. Conolly, Mac Mahon, Blake, Lefroy, Fitzstephen French, Brady, Gregory, Redmond, Vance, Russell, Col. Dickson, and Maguire.

Seven members\* at this meeting were appointed to form a committee charged with applying to government for the required modifications.

Nevertheless it was only in 1861, after new parliamentary inquiries,† that the old statutes were modified. For the future, Irishmen settled in England will acquire a legal settlement at the end of three years passed within the district of the same Union.‡

Compared with the previous law this disposition was a decided improvement; it would be unjust not to admit so much. The evil will for the future be less great; cases of removal less frequent; and the injustice of them less crying. It will still however remain true that England is unwilling to treat Ireland on a footing of perfect equality. She consents indeed to receive annually thousands of Irish workmen, and to make use of their arms either in her manufactories or in her fields; but she still reserves to herself the right, under conditions of her own making, to force Ireland to support these workmen, if they happen to fall into destitution. Does not this single circumstance suffice to prove that the word *union* between Ireland and England involves an untruth? Does not the law of removal, modified it is true in its most odious clauses but still maintained in principle and in all its essential dispositions, prove that Ireland is not treated as "an integral part of the Empire," but as a *conquered country*?

To conclude this examination of the Irish poor law administration, we have now only to sum up the parliamentary inquiry to which it gave rise in 1861, and the results of that inquiry.

\* Messrs. Monsell, Gregory, Maguire, Vandeleur, Vance, Longfield, and Smith.

† Parl. Papers: *Poor Removal*;—Rebecca Kearney; No. 332 (I, II, III);—Mary O'Connor; No. 333.

‡ Formerly it required five consecutive years, spent not merely in the same Union, but in the same Parish.

## CHAPTER XIII.

PARLIAMENTARY COMMITTEE OF 1861, ON REFORM OF  
THE POOR LAW.

PUBLIC opinion had pronounced strongly against the abuses and shortcomings of the Irish Poor Law administration. Twice assembled in Synod, the Archbishops and Bishops of Ireland had solemnly protested against the vices of the system, and solicited reforms shown by experience to be indispensable.\*

These protests of the episcopacy were daily confirmed by fresh incidents, collected, published, and commented upon by the press. It was impossible for Parliament to leave the question untouched.

On the 9th of March, 1861, accordingly, the House of Commons appointed a Committee to enquire into the system of legal charity in Ireland.†

\* In the *Pastoral Letter* addressed by the Archbishops and Bishops of Ireland to the Catholic Clergy and People, 5 Aug. 1859, the Synod: calls the attention of the government to the exclusively Protestant composition of the Central Board of Poor Law Commissioners, as well as to the condition of the poor, who are treated in the Workhouses with greater severity than condemned criminals, and are often more completely deprived of spiritual aid.—And again in the Synodical *Pastoral Letter* of 23 April, 1861, the assembled Archbishops and Bishops declare, that: it is not only certain that the poor rate is a very heavy burthen on most of the people; but on the other hand it is not less certain that the produce of this tax is distributed in a way altogether partial, and that everything tends to render it odious to those whom it is intended to aid. The poor have in the Workhouses no chapel in which to find those religious consolations so precious in misfortune; the children of Catholics are brought up by Protestant masters, and they are, contrary to all right and all reason, deprived of the possibility of learning and reciting Catholic prayers; every kind of opposition is given to their receiving the slightest instruction in their own religion. These houses are managed with so little propriety that well conducted persons who have become paupers are placed in the same room with the most depraved and the most despicable. This mixture of persons, the deprivation of all religious aid, and the severity with which they are treated, all alike inspires so great a repugnance for these houses that the people prefer to endure the utmost extremities of destitution, and even to die of want of food, rather than ask for admission into these melancholy establishments.—Had our space allowed us, we should have quoted the greater part of the diocesan pastorals for Lent, St. Patrick's Day, and the chief solemnities of the year.

† The Committee, over which Mr. Cardwell, then Chief Secretary for Ireland, presided as Chairman, was composed of Messrs. Herbert, Lord Naas, Lord Claude Hamilton, Lord John Browne, Col. Forde, Gregory, Sir Edward Grogan, George, Quinn, Sir John Arnott, Waldron, Cogan, Monsell, and Maguire.

The labours of the Committee began on the tenth of the same month; continued until the month of July; and occupied twenty-three sittings.

Before entering, however, upon the conclusions arrived at by this Committee, we have a few not unimportant observations to make. Out of twenty witnesses who appeared before the Committee, sixteen belonged, although in virtue of different titles, to the Poor Law administration.\* Four only were totally unconnected with that administration, and might be called independent witnesses.†

We must add that several members of the Committee had been or were still officially connected with the same administration.‡ This may explain the frequently contradictory character of the evidence before the Committee.

To believe certain witnesses the system then in force was the most successful instance of legislation ever seen;§ and in spite of official documents testifying to the universal and incredible repugnance of the Irish poor for workhouse relief, it was “the system best adapted to the Irish character.”|| [!]

The apology for the existing system undertaken by Mr. Power, Head Commissioner, and his colleague Mr. Senior,—more temperate, more delicate, and more skilful than that of the other witnesses,—was on nearly every point the great result of and immediate conclusion to be drawn from their evidence:

That it would not be advantageous to the poor to alter the mode of giving relief, by granting Out-door Relief in a greater proportion, as in England and Scotland.¶

That there was no need to modify the diet, because it was sufficient, and at least as good as what the peasantry and working classes are accustomed to.\*\*

That the moral classification of women in the Workhouses

\* MESSRS. Power and Senior, Chief Commissioners; Mr. Robinson, Inspector; the Clerk of the Cork Union; the Master of the North Dublin Workhouse; the Chairmen of the Boards of Guardians of North Dublin, Cork, Newport, and Letterkenny; and seven other Guardians (of whom several *ex-officio*) of the Unions of Dublin, Cork, Limerick, and Drogheda.

† Dr. Cullen, Archbishop of Dublin; the Rev. Mr. Barry, of Youghal; Mrs. Woodlock, directress of a charitable institution at Dublin; and Dr. Denis Phelan, ex-Poor Law Inspector.

‡ The Chairman, Mr. Cardwell, was, as Chief Secretary, an *ex-officio* colleague of the three Commissioners; Lord Naas and Mr. Herbert had also been members of this administration.

§ “I firmly believe that the Poor Law in Ireland is the most successful instance of legislation;” [!—(Evidence of Mr. Stewart Vandeleur, Chairman of the Board of Guardians of Letterkenny.)

|| Same witness.

¶ Evidence of Mr. Power, 22 March; of Mr. Senior, 27 June.

\*\* Ev. of Mr. Power, 22 March; of Mr. Mac Farlane, 10 June; and of Sir Richard O'Donnell, 17 June.

afforded all necessary guarantees for morality, since women of notoriously bad character and afflicted with shameful diseases were placed apart; and that there did not seem to be any inconvenience in letting the mothers of illegitimate children live with married women and young girls.\*

That Catholics in the Workhouses enjoyed every facility for the practice of their religion, and for their Chaplains attending to their spiritual necessities; and that if it happened, as was the case, that in three Workhouses in Ireland there were no regular Chaplains, that was not the fault of the Commissioners but of the Catholic Bishops, whose imperious conditions could not possibly be accepted. That, besides, it was necessary for the discipline of the Workhouse and the general good order of the administration of the law that the Commissioners should not give up the power of nominating the Chaplains.†

That it was desirable, merely: to repeal the *quarter-acre* clause, because during times of famine and public suffering it imposed amazing restrictions on the administration of the law;‡ and in order to diminish the increasing number of illegitimate children, brought up and boarded in the Workhouses, that the Boards of Guardians should be invested with power to tax the putative fathers of such children with the cost of their maintenance, and that by decree of the Assistant-Barrister at *quarter sessions*.§

Such is a faithful summary of the evidence given before the Committee by the majority of the official witnesses.

That of the independent witnesses was of quite a different character. They successively called the attention of the Committee to the insufficiency of the relief granted,|| to the dangers among which the morals of young women but too frequently suffered shipwreck,¶ and to the necessity of securing to the Catholic inmates of Workhouses greater liberty in and more respect for the exercise of their religious duties, and for their worship.\*\*

It was to be expected that English and Protestant opinion would prevail in the report of the commission.

So it refused to signify even by a simple recommendation to the Poor Law Guardians that it judged it opportune to give a

\* Ev. of Mr. Power, 22 March.—Ev. of Mr. Byrne, 13 June: "The Board would not brand a woman with an illegitimate child as notoriously profligate."

† Ev. of Mr. Senior, 27 June.

‡ "Resolutions agreed to by the Select Committee." § *Ibid.*

|| Evidence of Dr. Cullen, archbishop of Dublin, 27 May; of Mr. Place, a Guardian of the South Dublin Union, 30 May.

¶ Ev. of Rev. Mr. Barry, 13 May; of the Archbishop of Dublin, 27 May; of Mr. Place, 30 May; and of Mrs. Woodlock, 3 June.

\*\* Ev. of Dr. Cullen, May 27.

larger amount of out-door relief to aged and infirm persons, or to those temporarily in want.\*

It pitilessly rejected other propositions dictated by a sincere desire to do justice to the well founded complaints of the Episcopacy; complaints which had been put forward for twenty years before by all the organs of Catholic opinion. Even the independent notoriously liberal and universally respected character of the member for Limerick, Mr. Monsell, who had taken up this cause, was unable to influence the decision.† The Committee accordingly resolved:

That the Chief Poor Law Board should not be modified in its almost exclusively Protestant composition, by opening its ranks to Catholics.

That Workhouse Chaplains should still continue to be appointed by the Commissioners, without any obligation on their part of referring to the Bishop of the diocese.

That the Guardians might or might not, according to their good will and pleasure, set aside special rooms for the celebration of divine service, and in particular for the celebration of the Catholic service.

That nothing more need be done for the moral classification of the Workhouse poor; and that even where the majority of the children is Catholic, the Master should always be free to appoint a Protestant Schoolmaster.

On one point, however, the Report of the Committee satisfied the just demands of Catholics. On the suggestion of Mr. Cardwell, the Report expressed a wish that every person bringing a child to the Workhouse should be legally qualified to register it as he wished. Thus every foundling was *not* necessarily for the future to be registered as a Protestant, according to Mr. Blackburne's decision, "because Protestantism was the state religion."‡

When the Committee of 1861 had finished its work the session was too far advanced to allow of its conclusions being submitted to Parliament for consideration. It was only in the month of February 1862 that the Secretary of State for Ireland, Sir Robert Peel, laid upon the table of the House a bill for the reform of the Poor Law, with a view to give the sanction of the legislature to the conclusions contained in the Report of 1861.§

To repeal the *quarter-acre* clause;

\* Suggestions of Dr. Phelan, and Mr. Place, rejected by the Committee.

† Mr. Monsell's series of resolutions were all peremptorily rejected by the Committee.

"Resolutions agreed to by the Select Committee." The Committee asked also for the repeal of the fatal *quarter-acre* clause.

§ House of Commons; Feb. 14th, 1862.

To admit into the Workhouse hospitals the sick and wounded, although not destitute paupers;

To authorise Guardians to provide that foundlings and orphans might be brought up outside the Workhouse, either to the age of five\* or twelve† years;

To suppress the privilege enjoyed by buildings devoted to religious, educational, or charitable purposes of not paying *poor rates*,‡ and to put them on the footing of ordinary property in this regard;

To limit to Ten the number of votes by proxy to be disposed of by each Guardian, with the obligation of getting them renewed every ten years;

To prolong the powers of the Head Board of Dublin for two years.

Such were the chief "reforms" proposed by Sir Robert Peel's bill in the Poor Law administration.

As this bill actually stands, it is like most measures introduced for Ireland by the government. It corrects or abolishes certain abuses of detail; leaving untouched, indeed approving of, those of which Ireland most complains.

It is undoubtedly good that voting by proxy be limited. It was high time to modify a system by which, according to the admission of the Head Poor Law Commissioner himself, certain Guardians disposed of 2,000 or more votes, and might at a pinch have voted in the name of people already in the grave.§

But since the number of votes by proxy is in England limited to four per guardian, with the obligation of getting their power renewed every two years, why is not a similar system established in Ireland? Is then government so deeply interested in upholding the influence of the aristocracy and of Protestantism on Boards of Guardians?

The abrogation of the *quarter-acre* clause, which has done so much mischief, ought also to be a matter of satisfaction to us; as well as the permission given to extend medical aid relief; and the measures destined to provide for removing children from the regime of workhouses, so fatal to the healthy development of their frames.

But what shall we say of the eleventh section, which abolishes the exemption from poor-rates hitherto enjoyed by

\* Opinion of the Poor Law Commissioners.

† Opinion of the Parl. Committee of 1861.

‡ Under the 1 and 2 Vict. c. 56.

§ "The Chief Commissioner admitted that he knew of cases where an individual had 2,000 proxies or upwards; and that it was very possible that the present holders of proxies, in many cases, vote for persons who perhaps are dead."—(Chief Commissioner's Evid. ; Q. 1,198, 1,110.)



public buildings, religious, charitable, or others?\* Is not this another heavy burthen put upon Catholics. In the cities this increase of expense may possibly not be an excessive burthen to the ratepayers. But in villages which still stand in great need of chapels, schools, asylums, and cemeteries, and where the liberality of the faithful is the sole resource for such foundations, is it not evident that this clause by imposing very painful sacrifices upon them will considerably retard a management so desirable as that which has for some time prevailed to provide so that every parish should at least possess all that is necessary for the due celebration of the Catholic worship and the practice of Catholic charities?

A few days before the bringing in of this Bill, a great meeting was held at Dublin, at which Dr. Cullen, the Archbishop presided; (Jan. 23rd, 1862.) One member of Parliament, Mr. Waldron, and a large number of magistrates were present. All the questions relative to the Poor Laws were discussed at this meeting, and gave rise to important resolutions.

These resolutions are summed up in a Petition prepared for presentation to Parliament during the Session of 1862; a petition which is being signed in all the dioceses of Ireland at this moment (April 1862.)

This Petition prays the House of Commons:

“To enact measures to secure adequate relief to the destitute poor of Ireland, and enable the same classes to receive out-door relief as are in England entitled to it.

“To provide for the rearing out of the Workhouse of the young; and for the proper superintendence of their care, maintenance, and education, up to fifteen years; and their apprenticeship at a proper age.

“To compel due provision to be made for religious worship, and for the appointment of Catholic Chaplains, according to the discipline of the Church.

“To make fair provision for the religion of the foundling and deserted children.

\* This exemption is provided for as follows in the Act 1 and 2 Vict. :—“No Church, Chapel, or other building exclusively dedicated to religious worship or exclusively used for the Education of the poor, or any Burial Ground or Cemetery, nor any Infirmary, Hospital, Charity School, or other building used exclusively for charitable purposes, or any building, land, or hereditament dedicated to or used for public purposes, shall be rated.”

The following is the 11th section of Sir Robert Peel's Bill :—

“Be it enacted that in every rate to be made for the relief of the poor, after the passing of this act, all property now exempt from rating as aforesaid on the ground of its being dedicated to *any religious, charitable, educational, or other public purpose*, shall be rateable to the relief of the poor, anything in any act to the contrary notwithstanding.”—(See also a Pastoral Letter of the Archbishop of Dublin, dated 23 Feb. 1862, in which Sir R. Peel's Bill is discussed.)

“To extend the area of taxation, so as to have a uniform rate in each Union at least.

“To reduce the number of *ex-officio* Guardians to one-third of the entire board, as fixed by the original act; to declare non-resident justices ineligible; to provide for a fair adjustment of property votes and the limitation of proxy votes; and to declare clergymen to be eligible to be Guardians, (as in England and Scotland).

“To enact that the Irish Poor Law Board shall consist of Irishmen, and that a due proportion shall be Catholics.

“Finally,—not to sanction any enactment which would subject religious and charitable institutions in Ireland to taxation, or which would have the effect of taking away the blind and the deaf and the dumb from the charitable institutions where they are now supported out of the poor rate, and which would place them under the control of the Poor Law authorities.”

This petition sums up the unanimous demands of more than four millions of Catholics, the complaints so often reiterated by thirty-two Bishops, and the protests so frequently made in the name of the nation by the Irish members. They are moreover conformable to justice and humanity; they have nothing to oppose them but the biased evidence of the very men under whom and upon whose responsibility the present system is carried on. Will Parliament nevertheless pronounce in favour of the latter, and thus add a fresh injury to so many others and a fresh cause of disaffection to the grievances of the past? Or rather will not the English and Protestant majority of the House modify the Irish Poor Law unreservedly, honestly, and without prejudice or rancour, in the manner demanded by Ireland through her lawful representatives? \*

This is a fair opportunity for the legislators of Westminster to show that bygone quarrels are forgotten, and that every prejudice of race and creed being laid aside, justice alone will for the future preside at the making of laws, the course of administration, and the exercise of power.

One other capital question remains for us; one which as far as regards equality, toleration, and the respect due to the rights of Catholic consciences, demands a radical reform. It is the Education question.

\* [Since the publication of the French edition, Parliament has passed the Government Bill, and refused to grant any part of the prayer of the Petition.]

## APPENDIX TO BOOK VI.

(SEE PAGE 339.)

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### ON THE CONDITION OF CATHOLICS IN THE ENGLISH WORKHOUSES.

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IN the matter of religion, the situation of the Catholic poor in English Workhouses is determined by the 19th clause of the (English) *Poor Law Amendment Act*.\* This clause forbids Workhouse authorities to compel any inmate to assist at the religious service of a church to which he does not belong.

No child, in a workhouse, can be brought up in a religion different from that of its parents,—or in case of their death, of his surviving relations,—or in a religion to which his parents, or in case of an orphan the godfather or godmother, objected.

Every minister of whatever church is allowed to visit any pauper belonging to that church, upon the request of the pauper, to assist him in his spiritual wants; and also to give religious instruction to the child or children of such pauper, in the principles of their religion.†

On the motion of Lord Brougham, the House of Lords rejected this clause as superfluous. The House of Commons, however, insisted upon it; and after a conference between the Committees of the two houses it was definitively adopted.

If we were to take this clause as it stands, without taking the trouble to enquire into its practical working, we should see nothing in it but a positive guarantee of liberty of conscience given to Catholics.

We must not, however, be satisfied with merely the letter of the law. Its spirit must be looked for in its practical and daily working.

No legislative disposition obliges Workhouse Masters in England to register the religious belief of the poor who present themselves. But to be able to avail themselves of the slender guarantees given by Section

\* In treating this question we have largely availed ourselves of the Reports of the Parliamentary Committee of 1861 charged with the examination of the *English Poor Law System*.

† 4 & 5 Wm. IV. c. lxxvi. s. 19.

19, the poor should get themselves registered as Catholics immediately upon their entrance. If they do not positively state the contrary, they are considered as belonging to the creed of the majority, which is in England that of the State religion.

How can it be supposed that it is but a trifling difficulty for the Catholic poor to claim rights generally unknown to him, in the circumstances in which he is placed?

Let us see.

The workhouse Master and Matron have to say prayers according to the Anglican rite every day, before breakfast and after supper (Art. 208).

In order not to join in these prayers it is necessary :

1st. That the poor Catholic know that he is authorized by law not to assist at them.

2ndly. That knowing his right, he have the courage to stand upon it, and if necessary, to brave the railleries, the sarcasm, the insults of the Protestant paupers, and sometimes even the ill-will of the workhouse functionaries, generally the more hostile to Catholicism in proportion as their position is lower, and consequently as they are in more direct contact with the poor.

The same observations apply to the Sunday service celebrated by the Anglican minister.

The poor Catholic, who has perhaps entered the preceding day, hears the bell and goes with the rest to the chapel; either through ignorance of his right to stay away, or because he cannot support the insults showered on "*papists*" by his rude messmates.

Even supposing him to come to know the rights secured to him by law, what a difficulty does he not feel in breaking with his previous conduct! Will he not consider himself in some way bound to continue? He has already been seen at prayers, assisting at the Anglican service; may he not expect to be turned out of the Workhouse for fulfilling his duties as a Catholic? Is he sure that if he declare himself to be such, he will be looked upon so favorably by the administrators and the officials?\*

But grant that the Catholic pauper has the courage to stand firmly by his principles, and that he refuses to go to the Protestant service on Sunday. He has a right to do so; and the English observe too scrupulously the letter of the law not to respect this right.

He will then stay away from the Protestant service. But in what manner does this purely negative right secure for him the free exercise of his religion, and the power of fulfilling exactly his religious duties? Catholic ratepayers pay their share of the *poor-rates*. Is it just that in Workhouses where there are some of their co-religionists a certain sum should not be allowed, as is so liberally done in the case of Protestant paupers, to secure for them proper spiritual assistance?

Whilst in Ireland, in Workhouses where there are but eight or ten

\* It thus happens that even at Easter these poor do not dare ask to go to confession, or to fulfil the precept of annual Communion. (Parl. Enquiry; May 28, 1861.)

Protestants there is a Protestant Chaplain paid out of the *poor-rates* to celebrate the Anglican service and to instruct, visit, and assist these eight or ten Protestants, nothing of the sort is done for the Catholics in England, even supposing them to form the majority of the inmates.\*

Are they at least allowed to go to their Church on Sundays?

Yes, in some Workhouses,—thanks to the personal kindness of the administrators; but not in the majority. The rule is on the contrary in some Workhouses that no pauper under sixty years of age can receive permission to go out in order to assist at the religious service of his Church; and even this permission, such as it is, is only granted every fortnight.†

There is one disposition especially of this section 19 which requires to be closely studied, so scandalous and oppressive is it in its working.

We have already seen that in virtue of this clause any pauper may if he ask leave be visited by his priest.‡

It is however necessary for him to make the request in person. Thus in case a Catholic pauper falls sick and is unable to speak, a request made in his name by one of his own creed is considered as null; and if under these circumstances the Catholic priest present himself at the Workhouse gate, entrance would be refused him! The letter of the law is against him, and the Workhouse Master may in such cases put this narrow and intolerant construction upon it.

We are not reasoning here upon imaginary suppositions. We know a London Workhouse in which this case actually happened,—entrance being refused to a Catholic priest who asked to be admitted to assist a sick person. This person actually died without having been able to go to confession.§

Besides in more than one workhouse the Master requires a fresh request for every visit of the priest. This renders necessary many for-

\* Parliamentary Committee of 1861; (June 11th)—Mr. Bird, Secretary to the "Protestant Alliance," affirms that if Catholic priests had free access to the Workhouses they would convert all the inmates, and thence concludes that they ought to be refused entrance. He thought it bad enough already that paid Roman Catholic Chaplains should be appointed in the army and navy. We regret that we cannot give *in extenso* Mr. Bird's deposition. It is a very curious specimen of Protestant intolerance!

† Speech in the House of Commons by Lord Edward Howard, July 13th, 1860. In Mile End Workhouse, London, the poor are allowed to go out every Sunday to hear Mass. At Birmingham the feeling of the local administration is still more tolerant. A room in the Workhouse has been turned into a Catholic Chapel, and the Fathers of the Oratory enjoy every liberty, both for celebrating the offices of the Church, for visiting the sick, and instructing the children. This is an honourable exception, all the more deserving of praise as it contrasts more strongly with the rest of the system. We hope that this is not the only one, and that in other Unions also the liberal spirit of the guardians blunts the arm put by the law into the hands of the administration. A letter published by a Leeds priest, in March 1861, allows us to add to the name of Birmingham those of Manchester, Blackburn, and Hull.

‡ "At all times of the day on the request of such inmates."

§ Other cases of this description are mentioned in the Parlm. Enquiry of 1861; (June 1st and 4th). "You are not ill enough to see the priest," is frequently the answer made to the requests of the Catholic sick!

malities, entails much delay, and makes the exercise of his right very onerous to the pauper.\*

So much for the English Poor Law in the case of adults. This is nothing or next to nothing however in comparison to the manner in which it treats children, and to the system of proselytism which it authorizes with regard to them.

This same 19th clause of the *Poor Law Amendment Act* forbids the rearing of children in a religion different from that of the parents if living, or of the godfather or godmother in the case of an orphan.

In every case, so long as the parents, godfather, or godmother have not formally objected to this course, the child is brought up as a Protestant, the presumption being that it belongs to the State Religion.†

In 1859 the clergy of the parish of St. Michael (Commercial Road) stated, in a document forwarded to Lord Brougham, that out of 146 Catholic children belonging to the parish then in the Workhouse schools, 29 only were allowed to see a priest once a week. The other 117 were receiving a Protestant religious education, in common with the other children.‡

In the enquiry made on this occasion it became known that a child had said to its grandmother: "Oh! mother, I am forgetting all my prayers; I now only recollect the '*Our Father*' and the '*Hail Mary*;' and since Mr. N—— asked me if I was a Catholic, and I said I was, he looks so cross and so vexed at me, that I am afraid of my life. I dare not refuse to learn their prayers."§

Thus, then, whenever there is not a formal opposition on the part of the nearest parent, the child is brought up a Protestant.

But independently of the fact that for the reasons stated above the

\* Speech of Lord Edward Howard, (p. 8 and 9).—Parlm. Enquiry, 1861; (May 28th.) "At St. Pancras and at Whitechapel, should the priest be in the house visiting a particular pauper, and a pauper in the next bed were to ask to see the priest, a fresh application would have to be made,—the priest would have to go home, and wait until a message summoned him."—(4 June.)

† Parlm. Enquiry of 1861; June 11th. "Although it might be known that they are Roman Catholics. I am of opinion that all orphan children ought to be brought up in the religion of the Established Church."—(Deposition of Mr. Turner, one of the Guardians of St. Pancras Union.) In one London Workhouse, thirty-five children, whose names were Irish, were registered as Protestants. A Catholic magistrate took the trouble to enquire into the case; and the workhouse master himself acknowledged that they were all Catholics!—(Letter of Mr. Ryley to Lord Brougham, July, 1860; pp. 14 and 15.)

The provincial of the Passionists at Highgate, knowing that at an industrial school of the district there were 14 or 15 Catholic children to whom an exclusively Protestant education was being given, asked to see them. He received a refusal. He insisted with the Board of Guardians of Clerkenwell Union, who had the management of this school, for an enquiry into the case. The Board rejected this fresh request. One of the guardians gave as a reason for the refusal "that the children were well cared for and properly educated without the assistance of the Catholic clergy."—(*Id. ib.* p. 15.)

‡ We have before us this printed document, given to us by the venerable parish priest. Before proselytism so audacious and intolerant it is impossible not to exclaim with him, that nowhere except in Sweden and in Russian Poland is such contempt for the rights of conscience to be found.

§ Quoted in the *Weekly Register* of May 7th, and in the *Tablet* of May 14th 1859.

parents or relations of the child dare not oppose this proceeding, what becomes as a fact of this apparent guarantee? In many cases the *personal* attendance of the relation who objects is required : otherwise his representations are considered as null !

In 1859 a lady wrote to a Board of Guardians to demand that her god-daughter should be brought up a Catholic. The secretary answered, in the name of the Board, that as she had not personally attended to make her demand, she might for the future save herself the trouble of making written applications ; they being considered as null !\*

The same course is pursued in case the relative entitled to give opposition happens to be in America or Australia.†

At other times in order to give Catholic children a distaste for religious instruction, the time given to Catechism is chosen whilst the other children are at play ; so that they learn to look upon this lesson as a punishment, to be escaped by going to the instruction of the Protestant minister.‡

As to illegitimate children, the mother is powerless to prevent her child from being brought up a Protestant.§

Upon taking into account all the means used by proselytism to tear the children of the Catholic poor of England away from their faith and their Church, the number of Catholic children *annually* proselytised in English workhouses cannot be estimated at less than ten thousand.|| Thus is liberty of conscience respected in the “ classic land of liberty.” !!

\* “ As the board requires the *personal attendance* of the godfathers and godmothers who object to the instruction of children in the Established religion, they are anxious to save you the trouble of making such written applications in future.”—(Quoted in Lord Edward Howard’s Speech ; pp. 15 and 16 )

† A Catholic woman was in an English Workhouse with her four children. The husband was in Australia. Hearing that her children were being brought up Protestants, the poor woman protested against it. “ She was called before the Board, stated her wish, and was told that her request should not be complied with till she had procured an application from her husband in Australia.”[! !]—(*Id. ib.* p. 16.)

‡ (*Id. ib.* p. 18.)

§ In the 629 Unions of England, there were, in 1860, 8,456 illegitimate children, out of 18,838 ; (*Id. ib.* p. 18.)

|| “ At the meeting of Catholic rate-payers lately held at Moorfields, (London,) it was stated that *ten thousand* Catholics are *annually* and *compulsorily* proselytised in Great Britain, or in other words the great mass of this body of children are let loose upon society without any religion at all.”—(Letter of Rev. Mr. Kelly, parish priest of St. Michael’s, Commercial Road ; *Weekly Register*, May 7th ; *Tablet*, May 14th, 1859.)

## BOOK THE SEVENTH.

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# PUBLIC EDUCATION.

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### CHAPTER I.

HISTORY UP TO 1831.

IN Ireland, as in other Catholic countries during the middle ages, the torch of Science was kindled at that of Faith. The Church has not taught her children merely to believe, nor restricted her care to the supernatural culture of souls; she took upon herself also the intellectual education of the races whom she initiated in the principles of the Gospel. Her monasteries were not simply the retreats of contemplation and penance, nurseries of missionaries and of saints; they were also Schools, where letters were studied and taught, and where under the shield of religion the great classical traditions of antiquity were preserved and perpetuated.

So it was with the communities founded in Ireland during the fifth and sixth centuries by St. Patrick and St. Luan.\* These communities "rivalled the great monastic schools of Gaul; Ovid was explained, and Virgil transcribed there; Greek literature was cultivated there with especial zeal; no subject was excluded from research, and discussion; it was considered a glory to be as bold in speculation as firm and faithful to the dogmas of the Church."†

The monastic schools of Ireland soon came to enjoy a high reputation. In the seventh century it was a received custom with the Franks‡ after having exhausted the ordinary learning of their churches and monasteries to make for Ireland, in order there as it were to imitate a higher and better developed knowledge, to inspire themselves with her love of the Greek tradi-

\* Ozanam; *Etudes Germaniques*, vol. ii., chap. iv.—H. Martin; *Histoire de France*, vol. ii., p. 130.

† Count de Montalembert, *The Monks of the West*; vol. ii., p. 421.

‡ Ozanam; *Etudes Germaniques*; vol. ii., p. 487.



tions, and to be elevated into those regions of poetry and music, where she was reputed to be without an equal.\*

Later, even in the tenth and eleventh centuries, when on the Continent the dismemberment of the Carlovingian empire and the Norman invasions were reducing to utter destruction the edifice of civilization raised by the hands of the great Emperor, Ireland, amidst wars and unceasing dissensions, preserved intact in her monasteries and schools the culture of letters and sciences.

In the twelfth century, the English invasion and the violent struggles inaugurated by it checked the intellectual development of Irish genius. The great science was then to fight for the independence of the country, rather than to be able to read manuscripts with ease, or to study antiquity with the enthusiasm of the scholar.

It was only in the thirteenth and fourteenth centuries that the foundations destined to encourage and spread sacred and profane learning began to be laid again. Two great Universities were founded at the end of this period; that of Dublin in 1311, and that of Drogheda in 1365.

Their English origin, however, rendered them hateful to the vanquished race; and neither of them prospered. It was still the monasteries, founded by the piety of the early ages, which in difficult times amid the shock of arms fostered, like a fire under the ashes, the taste for intellectual pursuits. Even at the time when the Statute of Kilkenny proscribed the national language and costumes, a few monks hidden in the cloister and separated from the rest of the world by high mountains and the waters of Killarney committed to writing one of the chief monuments of Irish history,—the *Annals of Innisfallen*.

The Reformation saw the end of those haunts of piety and learning, which had done no less signal service to letters than to religion, and no less honour to the human mind than to the gospel. Proscribed and hunted down shortly afterwards, the Irish clergy, scarcely equal to the most pressing exigencies of the sacred ministry, was obliged to abandon the important work of education, and to leave it to other hands.

\* "Nothing could equal the renown of the bards of Erin, and the skilfulness of her harpers. When the English landed for the first time in that country into which they were destined to carry slavery, their archers paused in ecstasy at the sweet harmony which the native minstrels drew from their instruments. Even to day this oppressed nation keeps its harp, the emblem of its genius, in the national arms."—(Ozanam; *Etudes Germaniques*, ii., 481-490.

"What more poetical than their passionate attachment to music; an attachment which makes the heart of the humblest peasant beat quicker, and which gave so mighty a popularity to their national bards."—(Count de Montalembert; *Lettre sur le Catholicisme en Irlande*; Œuvres Complètes, vol. iv., p. 154.)

Nor were the Reformers slow to understand the immense service which education might become in their hands for the very difficult task of Ireland's perversion. They knew well what a long and laborious undertaking was that of tearing this people away from its creed. But they counted upon their schoolmasters and university professors for the accomplishment of what the sword of the soldiery had been unable to effect. With public education in their hands, they imagined that three quarters of a century would suffice to unite Ireland to England in mutual detestation of popish errors and of the pontifical supremacy.

As early as 1537 Parliament passed an act, entitled *The Parish School Act*, which obliged every one taking possession of an ecclesiastical benefice, "to keep, or cause to be kept a school in his parish, in order to learn himself and introduce the English tongue, and cause the people to bid the beads in English."\*

Thirty-seven years afterwards, in 1574, under Elizabeth, a new act provided for secondary instruction, by ordering the establishment in the county towns of diocesan schools placed under the direction of English masters. The end in view was to fill up an immense void, and these schools were specially intended "to secure a due and humble obedience from the people to their princes and rulers, as commanded by the holy Scriptures, whose ignorance of those high poyntes touching their damnation proceedeth only of lack of good bringing up of youth of this realm, either in public or private schools."

To crown the edifice of Protestant Education nothing was now wanted but the teaching of a university. It was Elizabeth therefore, who gave one to Ireland, in 1590,—by the establishment of the University of Dublin (*Trinity College*.)

The system of public education was thus in all its stages closely connected with the new State Church. Protestantism got at the children and the popular classes through the parochial schools; and at the upper classes of society through the diocesan schools and university.

It would however seem that even this complete system did anything but give complete satisfaction; and that its results were neither proportioned to the generosity nor the wishes of its founders. For at the beginning of the seventeenth century and even later, new schools were established, with the formal

\* During the life-time of Henry VIII. the Reformation was yet simply a schism: the dogmas, ceremonies, and prayers of the Catholic Church being still retained. They were proscribed only under Edward VI. after the adoption of the errors of Calvinism.

and publicly proclaimed design to snatch the Irish nation from the darkness of ignorance and superstition.

So James I. upon the confiscation of Ulster reserved a hundred thousand acres of land for the building of Churches, Schools, and other useful public Establishments. It was thus that originated the seven great Royal Schools of Armagh, Enniskillen, Dungannon, Cavan, Raphoe, Carysfort, and Bannagher. The whole of Ulster was as it were surrounded by a girdle of doctrinal citadels. James counted at least as much upon them as upon the Scotch Puritans "to stir up and recall the province of Ulster from superstition, rebellion, calamity, and poverty, to the true religion of Christ, and to obedience, strength, and prosperity." [!]

Besides the Royal Schools, the zeal of Protestants for the propagation of their creed produced the schools of Erasmus Smith,\* and the *Endowed Schools*.

As in spite of all these efforts, however, Ireland still held fast to the Catholic faith, a still bolder attempt was made during the first half of the eighteenth century, during the reign of George II. The *Charter Schools* founded in 1733 were expressly destined for the bringing up of Catholic children in the Protestant religion. So openly were they devoted to their shameless proselytism that it was expressly forbidden to receive Protestant children in them.† Dr. Milner estimates at no less than £25,000 the amount annually devoted to the maintenance of these schools. We cannot refrain from mentioning the manner in which the pupils were procured. Gained over by solicitations and most frequently by bribes, the children destined for the *Charter Schools* were conveyed in covered cars to the greatest possible distance from their birth-place. By thus severing every bond between these victims of proselytism and their parents,‡ it was supposed that Protestantism would finally prevail with these souls.§ Notwithstanding these precautions, however, many children ran away,|| or returned into the bosom of the Church, on the completion of their

\* 1669; under Charles II.

† This prohibition was annulled only in 1803. Touching these foundations, M. de Beaumont quotes a fragment of a letter written by the Protestant Primate Boulter to the Duke of Newcastle: "The number of papists in the Kingdom is so great that it is of the utmost consequence to the Protestant interest here to bring them over by all Christian methods to the Church of Ireland."—(Boulter's *Letters*, Vol. II., p. 11.)

‡ A rescript of the Emperor Nicholas, dated April 10, 1832, ordered the young Polish children to be taken away from their parents in the same manner, in order to be brought up in the orthodox faith. (See the work of Father Lescoeur; *L'Eglise Catholique en Pologne, sous le gouvernement Russe*; p. 74.)

§ Dr. Milner; *An Inquiry*, &c., p. 23.

|| 808 out of 2,519, in eleven years (from 1803 to 1814.)

education. It was in vain that a million and a-half sterling was spent upon these *Charter Schools* in ninety years. They succeeded no better than former ones in inspiring the Irish people with a love for the religion of Henry VIII. and Elizabeth.

The ill-success of these schools had demonstrated the radical vice of the institution. In 1811 an Association composed of liberal Protestants and Catholics (the Kildare Place Society), received from government an authorization to administrate the property which it held from its founders, and to open schools for children of all sects, without exclusion of any Christian denomination, and without the predominance of any one form of worship over another. As a guarantee of this impartiality the Bible was to be read in the classes without notes or commentaries. Catechisms and controversial treatises were to be banished from these schools.\*

From 1818 to 1830 the Kildare Place Schools received grants from government. They were at first very successful; and in 1825 they had 1,490 schools organized, and 100,000 pupils. But however impartial might have been the intentions of the founders, the spirit pervading them was one so decidedly Protestant as soon to inspire all Catholics with an absolute distrust of them.†

The latest effort of Protestantism in the education of youth as a means of proselytism is the *Church Education Society*, established in 1839, "for the education of its pupils of the principles of the Church of England."‡

This society supported by voluntary contributions, had in 1859, 87 schools, giving instruction to 78,487 pupils, of whom 11,963 were Catholics.§

Whilst Protestantism was thus multiplying in Ireland institutions for the education of youth, what were the resources at the command of the Catholics, and by what means were they able to preserve their children from the double danger of ignorance and apostacy?

During the confiscations and religious wars of the sixteenth century the magnificent foundations consecrated by the middle ages to the development of piety and learning disappeared.

\* ".....The principles of which were stated to be the admission of pupils uninfluenced by religious distinctions, and the reading of the Bible or Testament without note or comment by all the pupils; excluding catechisms and controversial treatises. No attempt should be made to disturb the peculiar religious tenets of any sect or description of Christians."—(Thom's *Offi. Direct.*, 1862.)

† M. de Beaumont; Vol. I., p. 397.

‡ Thom's *Offi. Direct.* 1862, p. 694.

§ Thom's *Offi. Direct.*, 1861; p. 707. (The amount of subscriptions for this year, 1859, was £3,213.)

Forced to hide themselves, the priests had been obliged to leave to private families the education of their youth, formerly so dear to their zeal.

Up to the beginning of the eighteenth century the sacred prerogatives of domestic education and the inviolable privileges of the family hearth had been respected, even by Elizabeth, by Cromwell, and the Long Parliament. Orange hatred, however, more clear-sighted and perfidious, was desirous to reach Catholicism even behind this venerated retrenchment, and to leave Catholics no alternative but to stagnate in utter ignorance or to imbibe at Protestant springs a poisoned learning.

For the attainment of this end a law of Queen Anne banished from Ireland all Catholic teachers, and sentenced them even to death in case of return.\*

Wealthy families might however, it was found, evade this law by sending their children to the schools of the Continent; so, another law, passed during the same year, forbade Catholics under the severest penalties to send their children across the seas without special permission.†

During these difficult times Catholic education was administered in much the same way as Catholic worship was celebrated. Stone altars are still here and there to be seen upon which, during the last century, the priests of the proscribed religion celebrated the divine mysteries. The old country folk can still show also the ravines in which and the hedges behind which masters and scholars cowered during the empire of the penal laws. They were "*Hedge Schools*" in every sense of the term; schools to frequent which was heroism, and whose tiniest scholar might at any moment become a martyr.‡

This violent state of things ended with the eighteenth century, and Catholics recovered liberty of Education long before their reinstatement in civil and political equality by the bill of 1829. They even saw in 1795 the foundation and endowment by the State of the great College of Maynooth destined for the education of the Irish clergy.§

This endowment, however, whilst affording some proof of just and liberal intentions on the part of government, filled up

\* 8 Anne; c. 3, s. 31 (1704).

† 12 Anne; c. 6 (1704).

‡ See in Rodenberg's *Tour*, before quoted, the charming recital put into the mouth of an old schoolmaster, who had had the honor to teach the little children to read and to pray to God in those ditches and behind those hedges, those real catacombs of Catholic teaching in Ireland during the eighteenth century. (Rodenberg: *The Island of the Saints*; pp. 48 and 49.—Thomas Moore; *Memoirs of Capt. Rock*; vol. ii. chap. iii.—Count de Montalembert; *Lettre sur le Catholicisme en Irlande*; p. 146.)

§ Maynooth being an ecclesiastical seminary, we shall speak of it in detail in the next book.

but a small gap in the immense work of the education of youth. All Catholic institutions destined for that purpose had been destroyed. Everything had to be recommenced. Catholics ruined by three centuries of confiscation, obliged to provide at once for all the most pressing wants of a religion to which tolerance had been extended, had no resources sufficient for the reestablishment of institutions. They were compelled to wait; and although Catholic education was one of the principal objects of the solicitude of the bishops, still Catholic schools were for a long time few and poorly endowed.

Still, as early as 1812, according as the Catholic question was submitted to public opinion with more force and effect, statesmen of just and liberal ideas felt the expediency and moral necessity of no longer excluding Catholics from the advantages of education by opening to them no schools but such as could not be frequented by them without detriment to their conscience and faith. In their report for that year the Royal Commissioners asked for a system of public education, "from which should be banished even the suspicion of proselytism."

Sixteen years later this expediency was proclaimed with still greater solemnity and authority by the exclusively Protestant Parliament of 1828.\*

The House of Commons recommended the adoption of a system in which: "the course of study, for four fixed days of the week, should be exclusively moral and literary; and that, of the two remaining days the *one* should be appropriated solely to the *separate religious instruction of the Protestant children*, the *other* to the *separate religious instruction of the Roman Catholic children*. In each case no literary instruction to be given or interference allowed on the part of the teacher; but *the whole of this separate religious instruction to be placed under the exclusive superintendence of the clergy of the respective communions*."

Three years later, these principles served as the basis of a gigantic system of primary education which government undertook to endow and support; the superintendence and administration of which it took in hand; and which at the present moment is giving education to more than half a million of children.

This system, officially called "*The system of National Education*," also bears the name of the "Stanley system;" Lord Stanley (now Earl Derby) having been, when Chief Secretary for Ireland, the official founder of this important measure.

\* "That no system can be expedient which may be calculated to influence or disturb the peculiar religious tenets of any sect or denomination of Christians."

## CHAPTER II.

## LORD STANLEY'S SYSTEM OF "NATIONAL EDUCATION," (1831).

THE principles of the so-called "National Education" system are laid down with great clearness in a celebrated letter written by Lord Stanley (then Mr. Stanley, Chief Secretary for Ireland), to the Duke of Leinster, in October, 1831.

Lord Stanley began by recalling the recommendations of the Royal Commission of 1812; which had called for a system of education "from which should be banished even the suspicion of proselytism, and which receiving indiscriminately children belonging to all religious denominations, should in nowise interfere with their religious belief." He gave a brief sketch of the history of the Kildare Place Society's Schools, and showed how in spite of the liberal views of their founders they had ended by openly leaning towards Protestantism, and had thereby ceased to deserve the confidence and sympathy of the Catholics.

The system proposed to be established by Parliament was no other than that sketched in 1828 by the House of Commons.

The essential principle of that system was the following: To bring together children of all religious denominations, in order to give them literary education in common, without any attempt at religious instruction: To separate them for religious instruction according to the particular tenets of their respective churches. Supposing this absolute neutrality to exist, the system might really have become a system of National Education.

"For the success of the undertaking," said Lord Stanley, "much must depend upon the character of the individuals who compose the Board, and upon the security thereby afforded to the country that while the interests of religion are not overlooked, the most scrupulous care should be taken not to interfere with the peculiar tenets of any description of Christian pupils.

"To attain the first object, it appears essential that the Board should be composed of men of high personal character, including individuals of exalted station in the church; to attain the latter, that it should consist of persons professing different religious persuasions."

Lord Stanley explained, besides, the nature of the powers proposed to be conferred on the central Board, and the conditions under which schools should be entitled to government grants.

One of the chief duties of the Commissioners placed at the head of the system would be, he said, to see that the schools "be kept open for a certain number of hours, on four or five days of the week, at the discretion of the Commissioners, for moral and literary education only; and that the remaining one or two days in the week be set apart for giving, separately, such religious education to the children as might be approved of by the clergy of their respective persuasions.

"They will also," he added, "permit and encourage the clergy to give religious instruction to the children of their respective persuasions, either before or after the ordinary school hours on the other days of the week."

They were to have absolute control over all books used in the schools, whether for moral and literary instruction in common, or for separate religious instruction.\*

The Board was invested with the absolute disposition of the funds voted annually by Parliament. These funds were appropriated to the following purposes:

To build Schools, on certain conditions agreed to by the founders.

To pay Inspectors, charged with the periodical inspection of the Schools.

To give remuneration to Schoolmasters and Schoolmistresses.

To found and support a Normal School at Dublin, and to train masters there for country schools.

To edit and print lesson books of moral and literary education approved of for the use of schools, and to furnish schools with these books and the other necessaries of education at reduced prices.

To meet all the expenses of the central administration.

In fine: "a full power will of course be given to the Board," said Lord Stanley, "to make such regulations upon matters of detail *not inconsistent with the spirit of these instructions*, as they may judge best qualified to carry into effect the intentions of the government and of the legislature."

\* In the first case the books could only be published with the consent of the Commissioners; in the second, the authorization of those members of the Commission was required who belonged to the same communion as the children for which those books were destined. A second edition of Lord Stanley's letter, published eleven years later, (1842), by the Commissioners, added within parentheses at this part a passage not to be found in the original, and from which consequences were deduced not at all conformable to the general spirit of the system. In this passage it is said that: Although it is not intended to exclude from the list the books for combined instruction such portions of Sacred History or elementary religious or moral teaching as may be approved of by the Board, it is to be understood that this is by no means intended to convey a perfect and sufficient religious education, or to supersede the necessity of separate religious instructions on the day set apart for that purpose.



To give families the assurance that their children would not pay for their instruction at the price of their conscience and of their faith,—as had happened in the Kildare-street schools, against the well-known intentions of their founders;—to protect the Protestant minorities in the south and west of Ireland, as well as the Catholic minorities in the north;—to carry out the system with such equity and good faith as would entitle it in spite of religious and political divisions to be considered truly an Irish National System, such as would change the hesitation of the Catholic clergy and faithful into open approval and co-operation;—such were the intentions of the liberal cabinet,\* which sanctioned Lord Stanley's views, and took up with the hearty approval of men of all opinions the capital work of Popular Education in Ireland.

Such were the promises; let us now consider their execution.

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### CHAPTER III.

#### UNEQUAL COMPOSITION OF THE "NATIONAL BOARD" AS TO PROTESTANTS AND CATHOLICS.

LORD STANLEY understood well the requirements of public opinion in Ireland when he said, in his letter to the Duke of Leinster, that "for the success of the undertaking much must depend upon the character of the individuals who compose the Board." The government had besides pledged itself so to compose the Board that all religious opinions should be equitably represented at it.

How, for now twenty-nine years, has this first engagement been respected?

The original number of Commissioners was seven. It was successively increased by three in 1838, and by four in 1839. In 1845 the Board received from government a Charter of Incorporation, stipulating that the members of the Board should never number less than four nor more than fifteen. It was reserved to the Lord Lieutenant both to make and to cancel appointments. The regulation maximum of fifteen was reached only as late as 1853, and up to 1861 this number did not vary.

Now the following are the proportions in which Catholics appear on the Board, from the time of its formation:

From 1831 to 1838, of seven members three belonged to the Established Church, one to the Presbyterian, and one to the

\* Ministry of the late Earl Grey (22nd November, 1830—18th July, 1834.)

Unitarian sect; there were in all five Protestants and only two Catholics.\*

Of seventeen members appointed between the years 1838 and 1853,—as well to augment the number as to fill up vacancies caused by resignation or death,—Eight were Anglicans, Two Presbyterians, One Unitarian, (eleven Protestants); and Six Catholics.

From 1853 to 1860, out of five other members appointed by the Lord Lieutenant, Three were Anglicans and Two Catholics. During these seven years the Board attained its maximum of fifteen members. Of this number Six were Anglicans, Two Presbyterians, One Unitarian (in all, Nine Protestants), and Six Catholics.†

Thus at no period since its formation has the Board counted among its members the number of Catholics required at once by equity and by ordinary social consideration. There as everywhere else the Protestant element predominates; and although the great majority of scholars and masters are Catholics, three-fifths of the Board called upon to decide all questions relative to these pupils and masters are Protestants.

The central administration charged with the execution of decisions come to by the commissioners, and with welding together the different parts of the system, was constituted on principles not more liberal;‡ and if in the Inspection depart-

\* Anglicans : the Duke of Leinster, chairman ; Dr. Whately, Protestant Archbishop of Dublin ; Rev. Dr. Sadleir. Rev. James Carlisle, Presbyterian : Mr. Robert Holmes, Unitarian. Catholics : Dr. Murray, Catholic Archbishop of Dublin ; and the Right Hon. Anthony Richard Blake.

† Anglicans : the Right Hon. Alex. Macdonnell ; the Marquis of Kildare ; the Right Hon. Maziere Brady ; Dr. Higgin, Protestant Bishop of Derry ; Judge Hatchell ; and Judge Longfield.

Presbyterians : Rev. Dr. Henry, President of the Queen's College at Belfast ; and Mr. J. Gibson.

Unitarian : Mr. Robert Andrews, Q.C.

Catholics : Lord Bellew, Sir T. N. Redington, K.C.B. ; Mr. James O'Ferrall ; the Very Rev. Dean Meyler ; Master Murphy ; and Mr. Thomas O'Hagan.

‡ It is easy to be convinced of this by reference to the following table drawn up from the statistics of 1836 :

	Heads of Service and First-Class Clerks.	Second-Class Clerks.	Third-Class Clerks.	Total of Functionaries.
Anglicans . .	10	3	4	18
Presbyterians .	2	2	2	11
Total of Protestants	12	5	6	29
Catholics . .	3	4	9	21
General Total . .	15	9	15	50

ment the predominance of the Protestant element is not so shocking, still even there we shall find neither proportional, nor even numerical equality.\*

Consequently if according to Lord Stanley's letter the success of the system must *above all* depend upon the formation of the central Board, we must say that little has been done to secure this success, and to gain the confidence of Catholic Ireland.

The main point was to break in the name of the state with the superannuated principle of Protestant supremacy, constitutionally abolished by the bill of 1829, fallen into disrepute in England through the progress of liberal ideas, and absolutely intolerable in Ireland where Protestantism is by a curious contradiction the religion of the minority and the religion of the state.

To entrust with such a task a Board three-fifths of whose members were Protestants was it must be confessed a strange way of coming at the desired result. Might it not have been presumed that the Protestant majority of the Board would, unconsciously, in spite of their good faith and earnest desire to labour at the difficult work of conciliating all the different religious communions, be habitually inclined to a secret preference for "the state religion," and would not always have prudence or strength enough to withstand so natural a temptation?

Certain decisions which have emanated from this Board, on questions involving grave Catholic interests, prove that such has in fact frequently been the case. We shall mention a few examples.

According to the original principles of the system, schools entrusted to religious communities, whether men or women,

\* The following Table is drawn from official statistics :

	Literary Inspection.					Agricultural Inspection.	
	Chief Inspectors.	Head Inspectors.	1st Class Inspectors.	2nd Class Inspectors.	Sub-Inspectors.	Inspectors.	Sub-Inspectors.
Anglicans . . .	...	2	2	7	2	..	1
Presbyterians . . .	1	1	3	12	1	1	...
Unitarians . . .	...	...	...	1	1	...	...
Other Dissenters . . .	...	...	1	1	...	...	...
Total Protestants . . .	1	3	6	21	4	1	1
Catholics . . .	...	3	6	17	6		
General Total . . .	1	6	12	38	10	1	1

might by complying with the rules laid down be registered as National Schools, and under this title enjoy government grants.

From 1832 to 1855 these principles were maintained without any restriction.

But in 1855 two new Rules emanating from Marlborough-street \* very materially modified these principles; Rules which can only be looked upon as the inspirations of a narrow-minded and sectarian jealousy of the incontestible superiority of the schools conducted by the religious communities.

In virtue of the first of these Rules, however great might be the number of schools conducted by the same religious community in a town the grant being made to the community and not to the schools was not to be repeated, even supposing the new schools opened by that community to conform to the rules laid down by the Board.†

Thus at Limerick, the Sisters of Mercy conduct several schools in different quarters of the town. Had schools conducted by laymen been in question there would have been as many grants as schools. Conformably to the above Rule, however, the Board made but one grant to the Sisters of Mercy, perfectly inadequate to the support of so many different schools.

The second of these two Rules is still more exclusive and intolerant. It lays down, that: "no clergyman of any denomination, or member of any religious order, can be recognized as the teacher of a National School.‡

In virtue of this rule Religious Orders devoted to primary education can in no case have their schools recognized by the Board, nor share in the parliamentary grants.§

It must be admitted, however, that the Board deserves credit for having applied this latter rule only to schools conducted by Religious Orders of *men*; and for not having extended it to the Sisters who in Ireland conduct such very large numbers of girls' schools.

Would these Rules have been ratified by the "National Board" if Catholics had been represented there in proportion to their numbers? And is it, then, surprising that Catholics

\* The seat of the Board and Central Administration of "National Education."

† "The Commissioners will grant aid to one school only in connexion with the same Convent."—(Rules of 1855, Art. ix., No. 4.)

‡ Same Rules; Art. vii., No. 2. It is needless to observe that this Rule is specially directed against Catholics; they alone having *Religious Orders* devoted to education.

§ In 1857 the authorities refused to incorporate the School of the Brothers of the Presentation at Cork into the "National" System, because they were members of a Religious Order. The Christian Brothers had long before abandoned the idea of making themselves dependant upon the "National Board," on account of certain rules of which we shall speak farther on.

have got to distrust a system the working of which is almost exclusively confided to Protestant hands, and over which they have but a very indirect control?

Other alterations besides made in the original plan of 1831 still further justify this distrust, and explain the attitude adopted by the Episcopacy towards the "National System."

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## CHAPTER IV.

### PREPONDERANCE OF THE PROTESTANT ELEMENT IN THE EDITING OF THE CLASS BOOKS.

THE importance of the choice and composition of books destined for class purposes in a system of education is sufficiently manifest.

In Ireland, more than anywhere else, this question of school books was of the highest importance; and the fundamental principles of the establishment of 1831 made the task of choice and composition one of no small difficulty. What was to be done was simply this: to compose books for the literary education of children of all denominations such as would not interfere with the particular religious tenets of any one among them.

The problem which the Board had to solve was one of great delicacy. If on the one hand the religious tenets of Catholics had to be respected, on the other it was necessary that nothing should be inserted in the books calculated to give lawful cause of complaint to Anglicans or Presbyterians. It would be unseemly and impossible to say nothing of Ireland's past to Ireland's children; but it might be dangerous to make them so familiar with the history of their country that the natural conclusion to be drawn from their education should be to range themselves under O'Connell's banner, and swell the army of the Repealers.

Let us see how the Commissioners of Education managed to pick their way through all these difficulties, and to solve the problem of school books in such a manner as to wound nobody but to inspire all parties interested with an equal degree of confidence.

We have already seen that Lord Stanley's letter authorized the Board to furnish schools with school books at reduced prices. At the very first official meeting (December 1st, 1831) the Protestant Commissioners refused to allow the Board to furnish Catholic children with Catholic religious books on these terms, It had been moreover proposed to issue, for separate

religious instruction, two versions of the New Testament, the one Catholic, the other Protestant. The two Catholic Commissioners consented to this arrangement. The Protestant Commissioners refused, unless the Douay version were published without notes.

The Presbyterian Commissioner, the Rev. Mr. Carlisle, then made a proposition which according to him was calculated to put an end to the difficulty. Government was to be asked for permission not to exclude necessarily from school books such parts of the Bible and such essays on religious and moral doctrine as might have received the approbation of the Board.

In itself, and in a system freely and totally Catholic, nothing can be more proper or salutary than this fusion of the principles, ideas, and memories of Christian teaching with the profane element. But the peculiar position occupied by the "National System" of 1831, was such that we can easily understand how perilous such an alteration might become, and how easily it might be turned against one of the fundamental principles of Lord Stanley's system.

Mr. Carlisle's proposition gave rise to warm debate. The matter was finally decided in the affirmative, but on the express condition that for the insertion of these passages of Sacred History and of these moral and religious essays the vote of the Board should be unanimous. The authorization then granted has since been looked upon by Mr. Carlisle himself as a *grave alteration of the originally proposed system*.<sup>\*</sup> It is needless to add that if a Presbyterian minister had before having obtained it advocated this alteration, and was its apologist after having obtained it, he must have hoped that it could be turned to good account in the hands of Protestantism.

Mr. Carlisle with the other members of the Book Committee immediately set about preparing two series of school books; the first containing Extracts from the Holy Scripture, plainly and clearly religious; the others destined for profane subjects, but largely impregnated with moral instructions, Sacred History, and religious discussions. These were the *Reading* or *Class Books*.

<sup>\*</sup> The following is Mr. Carlisle's impression communicated to the *Times* in 1854:—"This concession *considerably altered the original proposed system*, and rendered it instead of being a rigid system of exclusion of all religion from the deliberations of the Board and the common education of the people, an experiment how far Roman Catholics and Protestants could proceed together with perfect unanimity in introducing scriptural light among the population generally,—an experiment, considering what the state of Ireland has been for centuries, perhaps the most interesting and important, but at the same time *the most delicate and difficult*, that ever was entrusted to any Commission." (Quoted in the work entitled: *The Catholic Case stated*; p. 22.)

The books of Genesis and Exodus, and the Acts of the Apostles, were published by Mr. Carlisle himself, who had undertaken a new translation of them, different from both the Protestant and Douay versions. An Anglican minister, Dr. Arnold, recommended by the Protestant Archbishop of Dublin, published a part of the Gospel of St. Luke.

Besides these extracts from Holy Scripture a collection of Religious Poetry was edited in 1835; and in two years no less than seventy thousand copies were printed and immediately put into circulation by the Board. These poems were the exclusive productions of Anglican, Presbyterian, or Dissenting authors.

In 1838 and 1843 new works prepared under the direction of Archbishop Whately, were printed and circulated among the Schools in connection with the "National System."\* In the last of these works Dr. Whately actually attempted to prove that some of the doctrines and many of the practices of the Catholic religion were of pagan origin! It was only ten years later, in 1853, that this book was disavowed by the Board and suppressed; and this so much annoyed Archbishop Whately, Baron Greene, and Mr. Blackburne, that all three handed in their resignation as members of the "National Board."

To these books, explicitly purporting to be intended for religious instruction, the use of which was not however of obligation in any "National School,"† the Board added a series of works for literary and profane instruction.

These books are fourteen in number. Destined for the daily use of half a million of *Irish* children, of whom more than four hundred thousand are *Catholics*, they were composed or edited by the following gentlemen:

- No. 1. First Book of Lessons; by Mr. Carlisle; a *Scotch Presbyterian* minister.
- No. 2. Second Book of Lessons; by Mr. Carlisle; *Scotch Presbyterian* minister.
- No. 3. Supplement to the Second Book; by Dr. Whately; *Protestant* Archbishop of Dublin, and an *Englishman*.
- No. 4. Second Supplement to the Second Book; by the same author.
- No. 5. Third Book; by Mr. Carlisle.
- No. 6. Fourth Book; by the same author.

\* "Introductory Lessons on the Truths of Christianity, or Lessons on Christian Evidences;" and "Easy Lessons on the History of Religious Worship."

† This reservation is undoubtedly a very important one, and the Board deserves all credit for having left schoolmasters free to choose their class books. If official books are not of obligation, however, still they enjoy an advantage which renders competition difficult. They are prepared so as to be brought out *very cheap*.

- No. 7. Supplement to the Fourth Book; by Archbp. Whately.  
 No. 8. Fifth Book; by Mr. Carlisle.  
 No. 9. Book of Lessons for Girls; by Archbishop Whately.  
 No. 10. The Art of Reading; by Messrs. Spalding and Rintoul,  
     both *Scotch Presbyterians*.  
 No. 11. Biographical Sketches of the *English Poëts*; by Mr.  
     Maurice Cross, an *Englishman* and a *Protestant*.  
 Nos. 12 & 13. Extracts from the *English Poets*; by the same  
     author.  
 No. 14. The Literary Class Book; by Dr. Sullivan, a *Protes-*  
     *tant of Ulster*.

Thus, out of *fourteen* elementary works destined for the use of the "National Schools," *thirteen* were composed or compiled by *Englishmen* and *Scotchmen*; and the whole fourteen, without an exception, were composed or compiled by Protestants, Anglicans, or Presbyterians!!

All these books, according to the authorization given by Lord Stanley, upon the request of Mr. Carlisle and the Board, are more or less impregnated with the religious element.\*

In what manner or upon what principle did the authors or compilers of these books avail themselves of this authorization? Did they observe the strict neutrality enjoined by Lord Stanley's plan? Did these Protestant compilers bear in mind that four-fifths of the pupils were Catholics, having a strict right to require that in these books their religious convictions should be respected? Did not these English and Scotch gentlemen rather lose sight of the fact that their Board was a Dublin Board, and that it was for Irish children that they were writing their lessons in history, and compiling their poetical extracts? In order to answer these questions we shall have to look a little into the Class Books of these Schools.

The Fifth Book of Lessons, for the use of the most advanced pupils, is a volume of 408 pages, treating of Science, History, and Literature. In this book the whole History of Ireland is summed up in three lines in the following manner:

\* The Commissioners consider this mixture as a recommendation of these books. This will be seen from the following extract from a circular printed and distributed by order of the Board:

"The lessons in the First Book conclude with one of a decidedly religious kind; several in the Second Book communicate important religious truths, and are well fitted to create devout feelings . . . The next work following affords a striking example of the successful manner in which some of the most important truths of revelation are blended with secular instruction in the Irish National Schools . . . The Supplement to the Fourth Book contains a summary of the Old Testament, including a detailed account of the Prophets, and the substance of their prophecies; besides several essays on religious subjects by Archbishop Whately and other eminent divines."—(*Analysis of the School Books*, "published by authority of the Commissioners of National Education.")



These are the very words:

"It was towards the end of this (12th) century that Henry II. of England first invaded Ireland, and obtained the homage of the Irish kings."

And in a Chronological Table, we find for the year 1800 this single line:

"1800. Union of Great Britain and Ireland."

So much for the whole body of the *National* History taught in the "*National*" Schools!

In the geographical part of the Second Book of Lessons, the description of England begins in these words:

"On the east of Ireland is England, where the Queen lives; many people who live in Ireland were born in England; and we speak the same language, and are called one nation." [!!!]

Everything calculated, even indirectly, to awaken in the minds of the children the ideas of fatherland, of national history, of independence and liberty, has been especially of late years carefully banished from the books published by the Board.

In England there is scarcely a school book even of primary instruction which does not contain two pieces of poetry long ago become classical in English. One of these is the Downfall of Poland, by Campbell, in which mention is made of Kosciusko and National Independence;\* the other that celebrated passage in the Lay of the Last Minstrel, in which Sir Walter Scott speaks so touchingly and passionately of his country.†

\* "When leagued oppression poured to northern wars  
Her whiskered pandours and her fierce hussars,  
Hope for a season bade the world farewell,  
And Freedom shrieked when Kosciusko fell." (&c.)

† "Breathes there a man with soul so dead  
Who never to himself hath said:  
This is my own, my native land!  
Whose heart hath ne'er within him burned  
As home his footsteps he hath turned  
From wandering on a foreign strand.  
O Caledonia, stern and wild,  
Meet nurse for a poetic child!  
Land of brown heath and shaggy wood,  
Land of the mountains and the flood,  
Land of my sires! what mortal hand  
Can e'er untie the filial band  
That knits me to thy rugged strand?  
Still, as I view each well-known scene,  
Think what is now, and what hath been,  
Seems as, to me, of all bereft,  
Sole friends thy woods and streams were left,  
And thus, I love them better still,  
Even in extremity of ill."

—(*Lay of the Last Minstrel*, c. vi.)

These two pieces doubtless must have appeared factious, for they were expunged from the second edition of the Fourth Book of Lessons, published by the Protestant Archbishop of Dublin! Nay, precaution has been carried so far as even to suppress in this edition a prose description of the Lakes of Killarney, which was contained in the first edition!

But the editors did not even confine themselves to proscribing everything tending to enlighten the children as to their country, and its history; they went so far as to make them thank God for having made them "happy *English* children."!!\*

As to the history of the Catholic Church considered simply as a human institution, and the history of the Popes even in their quality of temporal princes, not a word is to be found about either. The only allusion to the Church of Rome in these books is to be found in the Abridgment of History, in the part devoted to the fifteenth century. It is in these words:

"In this century commenced that conflict known in history by the name of the Reformation, which resulted in many of the kingdoms of Europe separating from the *Church of Rome*. John Huss in Bohemia, Jérôme of Prague, and Wickliffe in England, took the lead in disseminating the doctrines of the Reformation. This age so fertile in great events was also the age of Reformation, in which the Protestant Churches separated from the *Church of Rome*; an event which still continues to influence the political affairs of Europe."†

If history treated in this manner cannot fail to leave Irish children in almost total ignorance of the past of their country and of their Church, at least it contains nothing positively hostile to their faith. Can the same be said of the only Dictionary published by authority of the Board for school use,—in which many of the definitions, read by Mr. Maguire to the House of Commons, openly attacked the Catholic Church, her doctrines and her rites?‡

For the rest, if there be any room for astonishment at all,

\* We allude to a kind of politico-religious hymn much in vogue in these schools, and which we have ourselves heard sung in them :

"I thank the goodness and the grace  
That on my birth have smiled,  
And made me, in these Christian days,  
A happy *English* child. [!!!]  
I was not born, as thousands are,  
Where God was never known,  
And taught to pray a useless prayer  
To blocks of wood and stone."—(&c. &c. !)

† *Fifth Book of Lessons.*

‡ The following may serve as examples :

*Exorcist*, one pretending to drive out the evil spirit by magic.

*Heterodox*, one who deviates from the opinions of the Established Church. [!]

*Crescent*, an emblem of Mahometanism.

*Cross*, "one straight body laid at right angles over another," [!], &c. &c.

ours is by no means because we find scattered here and there in books edited by the Board passages calculated to induce doubt in the minds of young Catholics, and to fill them with distrust and contempt for the belief and practices of their Church. The matter of our astonishment is totally different. We ask ourselves how it is that Anglicans and Presbyterians have not more largely and frequently sacrificed to their sturdy prejudices a religion which they gravely accuse of idolatry, and which they look upon as the great emporium of human superstitions? We admire them for not having habitually indulged in more cutting expressions, more hostile judgments, and appreciations of a more sectarian character. If anything scandalize us, and seem to us dishonest, it is not that they have fulfilled their task as they have, but that such a task has been confided at all to men nearly all strangers to Ireland, and to the Catholic faith, in a system of education pretending to complete impartiality, and supposed to be incapable of giving umbrage to anyone.

We must however look more narrowly into the mechanism of this system, and study yet more closely the various changes which have been effected in its principal rules; it is thus that we shall see how far the original plan has been altered, and how the wise economy of Lord Stanley's scheme has gradually been completely unhinged.

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## CHAPTER V.

### SUCCESSIVE ALTERATIONS IN THE ORIGINAL SYSTEM.

ONE of the fundamental principles laid down in the Letter of 1831 was: That one or two days of the week should be set apart for giving separately such religious education to the children as might be approved of by the clergy of their respective persuasions; and that, besides, the Board should permit the clergy to give religious instruction to the children of their respective persuasions, either before or after the ordinary school hours, on the other days of the week.

In developing this principle, four Rules\* were laid down.

The First related to the persons who were to give this religious instruction.

The Second and Third related to the time at which and the place in which this instruction was to be given.

\* Letter of Mr. Stanley, (1831).—Explanatory paper issued by the Commissioners, (1832).—Answer of Lord Stanley to a deputation of the Synod of Ulster, (July 1833).—Rules annexed to the First Report of the Commissioners of Education, (1834).

Lastly, the Fourth related to the children who were to receive this instruction.

The First confided directly to the priests or ministers of each religion the religious instruction of the children belonging to their respective communions.

The Second left the priests or ministers at liberty to give this instruction either in or out of the school-room, as they might think proper.\*

The Third appointed a particular day of the week for this separate religious instruction; and invited schoolmasters to give every facility for the continuation of this instruction on other days of the week, either before or after school-hours, according to the wishes of parents. The time or times set apart for this instruction were to be publicly announced in these schools, in order that those children *alone* who were authorized by their parents or guardians might assist at it.

The Fourth rule forbade any child to assist at religious instruction given by an ecclesiastic of a communion different from his own. It obliged patrons and schoolmasters to exclude all such children from the room during religious instruction.†

We shall now see what became of each of these important Rules, dictated by a sincere wish to secure the children in these "National Schools" from all attempts at proselytism.

The first rule put into the hands of the pastors of the different communions the chief direction and control of religious instruction.

The violation of this rule began, at least in the "*non vested*" Schools, at the request of the Presbyterian Synod of Ulster. The right of parents was substituted for the right of pastors, in the exclusive direction of and control over religious instruction. The result was that in a school under the patronage of a Protestant landlord, supposing Catholic parents either through fear or weakness to have sent their children to it, the Catholic priest had no right to teach them the catechism.‡

The second rule authorized pastors to give instruction either

\* "Liberty is to be secured to them to assemble the children of their respective flocks in the school-room, if they see fit."

† "Patrons or teachers were required to exclude from the room, during religious instruction, all such children."

‡ On the occasion of an enquiry made in 1854 by a Committee of the Lords one of the Chief Education Commissioners gave evidence to the effect that "at present the Roman Catholic priest, as the patron of the school, had no more power to compel a Roman Catholic child to receive his religious instruction than he had to compel a Protestant."—(Right Hon. A. Macdonnell's Evidence, Quest. 2,042; Answer to Lord Beaumont.)

Other functionaries went so far as to congratulate themselves upon the alteration of this rule, because it sowed division between the Catholics by setting families against their priests and *vice versa*.

in or out of the school-room, as they might think proper. The Presbyterians strenuously opposed this rule. At the outset of the working of the system grants were refused to many of their schools, because the patrons and masters would not allow the "Roman" priest to instal himself in the school room once a week, to teach the children of his communion that Protestants were heretics, and that there was no salvation out of the Romish Church.\*

In spite of this opposition the rule was maintained for some years. Finally, in the month of January 1840, it was annulled, out of regard for the Synod of Ulster.

The Presbyterians subsequently objected strongly to the third rule, which ordered a week day† to be set apart for religious instruction instead of Sunday, and authorized the giving of instructions on the other week days either before or after school-hours.

In the Report of 1837 this rule was still worded as it originally stood. In 1838 it was considerably altered; for the setting apart of a *whole day* for religious instruction was no longer insisted upon.‡ At last, in 1842, this rule entirely disappeared; a circumstance which meant nothing less than that Protestant pressure had achieved a new and important victory over the original system.§

Of these different rules the fourth was evidently the one the maintenance of which was most essential, if the system of national education was, according to Lord Stanley's promise, to banish "even the suspicion" of proselytism.

It only allowed children to assist at a religious instruction on the condition that they were sent there by their parents; otherwise they were bound to withdraw.||

\* Dr. Cooke, Presbyterian minister, in a speech against the "national" system.

† These days were called by the Presbyterians, "*The fifty-two Popish holidays.*"

‡ "One day in each week, or *part of a day*, (independently of Sunday), to be set apart for religious instruction."

§ In March 1858, the originator of the system complained loudly in the House of Lords of this change: "I admit, for my own part, that I very much regret, first of all, that the *system of united education which was intended to be national has to a very considerable extent failed to realise the expectation of its promoters.* I regret that in the great bulk of the schools, *contrary to the intention of those who originally proposed the system,* there not only is no religious education given, but no facilities even are given for separate religious instruction, by the ministers of different persuasions, *out of such school hours.*"—(Lord Derby; House of Lords, March, 1858.)

|| "It is of the essence of their rules that religious instruction should be given only at the time specifically appointed for that purpose; and that children whose parents do not direct them to be present at it should previously retire."—(Letter of the Commissioners, 25th July, 1833.)

"Any arrangement for religious instruction that may be made is to be

From the year 1847, after a long correspondence between the Board of Education and the Protestant Archdeacon of Meath, the Rev. Mr. Stopford,\* a very different interpretation was put upon this rule. Previously, it was the formal duty of the minister or schoolmaster giving religious instruction to send away the children not belonging to his communion, unless these children had been expressly authorized by their parents to remain for such instruction. For the future, it was simply required that patrons and schoolmasters should *not oblige* children unauthorized by their parents to remain.†

*To oblige such children not to remain :* Such was the spirit and the obvious meaning of the old rule.

*Not to oblige them to remain :* Such was the new rule.‡

It is needless to observe that between these two versions the difference is immense. According to the one, if a Catholic child were found in the school-room at the time set apart for Protestant religious instruction, it was the *duty* of the schoolmaster or minister *to send him away*. According to the second, the schoolmaster or minister is only obliged *not to force him to stay*; if he stay without being obliged, they have nothing to say to him.

That such was the meaning of the important change effected in the original principles is evident from the declaration made, in 1854, before a committee of the Lords, by Mr. M'Cready, a Presbyterian, and at that time one of the head inspectors.

"My opinion is that for a long period it was understood that the obligation lay upon the patron and upon the teacher of the school to put out the children. . . . ."

"This modification has very generally satisfied the Protestants, and it was I may say at their instance that it was so explained, but I do not think that it is perfectly satisfactory to some Roman Catholics [!]. If they were consulted I believe they would recur to the old interpretation put by some upon the rule, and that is that the children whose parents do not

publicly notified in the schools, in order that those children, *and those only*, may be present at the religious instruction whose parents and guardians *approve of their being so*."—(*Regulations and Directions of the Commissioners* ; Sect. III., Rule 4; Oct. 1833.)

(See also the formal evidence upon this point given by Messrs. Blake and Carlisle, before a Committee of the House of Commons, in 1837.)

\* See this Correspondence in *The Catholic Case Stated*, pp. 86—89.

† "That accordingly no child be *compelled* to receive or to be present at any religious instruction of which his parents or guardians disapprove."—(*Rules and Regulations*, Part I. ; §. 4 ; No. 2 ; 26th Gen. Rep., 1859, p. 2.)

‡ As this grave change was made at the request of Archdeacon Stopford, the new is frequently called *the Stopford Rule*.

personally approve of their being present should not be allowed to remain during the time of religious instruction.”\*

The protests made by the Catholic inspectors against the manifest abuses resulting from the new interpretation made so little impression upon the Board, that, in 1855, it sanctioned, in a new edition of the Regulations, the grave alteration effected in 1847, and contented itself with opposing an illusory barrier to the danger of proselytism pointed out by the Catholic pastors.

According to these Regulations it became the duty of the schoolmaster the first time a child belonging to a different religious communion assisted at religious instructions, given *by him*, to notify the fact to the parents or guardians of the child in a letter the duplicate of which was to be kept in a special register.†

After the serving of this notice, if no wish to the contrary be intimated to the schoolmaster, the child may continue to assist at the religious instruction. So much the worse for him, if the negligence of his parents or guardians expose him unprotected to a teaching hostile to his faith; the Board of Education can do nothing in the matter! This is the manner in which for the last seven years that Board has been labouring to banish from Lord Stanley’s system even the shadow of proselytism!

Moreover the only case in which this notice must necessarily be served is when religious instruction is given by the *schoolmaster*. If it were given by a Minister, or any other person but the Master, this obligation would no longer exist.‡

Who does not at once see how powerless this formality is to

\* Mr. M’Cready’s Evidence before the Select Committee of the House of Lords, 1854.

† The following is the form of notice:—

“NOTICE TO PARENTS OR GUARDIANS.

“\_\_\_\_\_ is informed, in compliance with the instructions contained in Rule 16, sec. iv. part I. of the Rules and Regulations of the Commissioners of National Education, that \_\_\_\_\_ attended the religious instruction given by me on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 185\_\_\_\_, at the time set apart for religious instruction in the above school, this being \_\_\_\_\_ first attendance.

(Signature) \_\_\_\_\_

“Dated the \_\_\_\_\_ day of \_\_\_\_\_ 185\_\_\_\_.”

‡ This was the case in the Ballindine schools (county Mayo) on the estates of Lord Oranmore. His daughter, Mrs. Ridley, a Protestant of the Anglican church, interested herself greatly in the Girls’ Industrial School, and gave frequent readings there out of books hostile to Catholic belief. Of the hundred girls or women who attended this school, not more than three or four were Protestants. But as Mrs. Ridley was not the Schoolmistress, no obligation existed of informing Catholic parents that their children listened to these readings!—(See the details of this affair as explained by Mr. Maguire, M. P., during the session of 1858.)

secure children from the influence of insidious proselytism? Even supposing the notice to be carried home by the child; even supposing the parents not to forget or to understand how to take the formal steps necessary to hinder their child from assisting at this religious instruction,—is it carrying out honestly the spirit of the system to put them to the trouble of these formalities, to which they may be disinclined for more than one reason? If, as often happens, the school is under the patronage of a rich landlord, of whom the parents of the supposed child are tenants,—is not the obligation to answer the schoolmaster's notice a difficult and frequently even a perilous duty to be imposed upon them?

It is certain that the original system offered substantial guarantees to families, by making patrons or schoolmasters directly responsible for every violence done to the conscience or children.

It is no less certain that the new rules open the door to proselytism, and that by putting parents into a position in which they must choose between duty and interest they totally undermine the system proposed by Lord Stanley to win the confidence of all religious communities without exception.

But it may be said that these suppositions are chimerical? Do not the practical results of the system prove, on the contrary, in a decisive manner, that the original spirit of the system has been carefully adhered to? Are not these alterations in the old rules more apparent than real? Where and how is Protestant proselytism carried on to the detriment of Catholics? How is it favoured by the national system?

These are so many challenges proudly made by the advocates of the system to its adversaries. Figures and facts shall be our answer.

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## CHAPTER VI.

### PROSELYTISM IN THE "NATIONAL" SCHOOLS OF ULSTER.

THE latest statistics, published in 1861 by the Commissioners of "National Education," give us the following figures upon the number of schools, of teachers, and of children.

At the end of the year 1860, there were 5,632 schools, attended by 804,000 children, and under the direction of 5,997 Masters, Under-Masters, Mistresses, and Under-Mistresses.\*

\* 27th Rep. of Comm. of Nat. Educ. in Ireland, 1860; (1861); p. v. xvi.

The figure 804,000 is that of all the children entered in the School Register during the course of the year 1860, even supposing them to have attended



Of 548,138 children entered on the registers during the last quarter of 1860, 455,582 were Catholics; 59,086 Presbyterians; 30,863 Anglicans; and 2,607 Dissenters,† divided as follows among the four provinces:‡

Province of Munster:

	Catholics, 148,856,
328 Presbyterians,	} Protestants, 2,585.
2,192 Anglicans,	
65 Dissenters,	

Province of Leinster:

	Catholics, 131,304.
305 Presbyterians,	} Protestants, 3,610.
3,234 Anglicans,	
71 Dissenters,	

Province of Connacht:

	Catholics, 76,137,
145 Presbyterians,	} Protestants, 2,455.
2,285 Anglicans,	
25 Dissenters,	

Province of Ulster:

	Catholics, 90,284,
58,308 Presbyterians,	} Protestants, 83,906.
23,152 Anglicans,	
2,446 Dissenters.	

This gives us the following proportions for the different communions of these 804,000 children, entered in the school registers for the whole year 1860:

	Catholics, 668,243.
45,269 Anglicans,	} Protestants, 135,757.
86,666 Presbyterians,	
3,822 Dissenters,	

for but a few weeks or days. The average yearly attendance was 510,638; the average daily attendance 262,828. All these figures are under those of the preceding year; which were according to the 26th General Report: total number 806,510; average yearly attendance 519,175; average daily attendance 269,203.

† Numbers of 1859, for the corresponding period:—

Catholics,	478,802
Presbyterians,	59,873
Anglicans,	29,105
Dissenters,	2,761

Whence it is evident that the falling off was principally among Catholics. The number of Presbyterians and Dissenters remained nearly the same; that of Anglicans rose slightly.

‡ 27th *Gen. Rep.* pp. 7, 8.

The proportion of Mixed Schools, that is, of schools attended by Protestant and Catholic children, was according to an inquiry made by the Commissioners in the month of March 1858\* as follows:

In Munster, 34 per cent.

In Leinster, 41 per cent.

In Connacht, 49 per cent.

In Ulster, 84 per cent.

In Munster therefore the children of two-thirds of the schools, and in Leinster those of nearly half the schools, belong to one single church. In Connacht the number of mixed nearly equals that of non-mixed schools. In Ulster alone is the proportion of mixed schools considerable. They form more than four-fifths of the schools of that province.

Consequently, it is the situation of Catholic children in the mixed schools of Ulster which has in the highest degree aroused the solicitude of the Bishops, and provoked the strongest opposition to the entire system.

Even the strictest and most honest adherence to the original system would not have done more than secure the Catholic children of this province from all attempts at proselytism. Ulster, the hot-bed of stubborn fanaticism, is as it were the Protestant *pale* in Catholic Ireland. There, invincible prejudices against the Church of Rome are preserved intact by the help of Puritan traditions and the fire of Orange passions. The progress made by Catholicity in the very heart of this province† has only irritated the susceptibilities and aroused the jealousy of the old Protestant party. That party shrinks from no means, whatever they may be, of regaining the ground from which a sounder and more complete knowledge of the religious question has dislodged it. That party was warmly opposed to the national system so long as that system observed a strict neutrality. To-day that same party is boldly turning that system against the faith of Catholic children. The alteration of the original rules has made this task easy; and through the influence of that party chiefly that alteration has become in its hands the weapon of a dangerous proselytism.

In the month of May 1850 the Board ordered that at the moment at which religious instruction was to begin, a board, bearing the words, **RELIGIOUS INSTRUCTION**, should be hung up within sight of all the children.

Many of the Presbyterian Schools of Ulster began to oppose this injunction; or only complied with it at the last moment.

\* 26th General Report; ix.

† A progress very evident in the statistics of religion given in the *Census* of 1861, quoted in the last Book.

They soon however abandoned their opposition, when they found that the use of this board was perfectly compatible with the assistance of Catholic children at Protestant instructions. The hanging up of the board had been ordered, it was true; but according to the new method of interpreting the rules that in nowise involved the obligation of *excluding* those Catholic children who "chose" to remain.

According to the admission of Protestants themselves there were in the mixed schools of Ulster a large number of Catholic children who not only assisted at the reading of the Bible,\* but also at prayers.†

The distance between this and the complete celebration of the Protestant service is evidently not great. By throwing in a few hymns and a sermon that distance could easily be got over; and the character of the Presbyterian service is precisely such as to render the conversion of a school-room into a chapel, and class work into religious service, extremely easy.

We shall be doing nothing but justice to the Ulster Synod by saying, that before openly engaging in a course so widely different from the wise and honest rules of Lord Stanley's system, they fairly consulted the Board of Education itself.

The answer of that board was clear and definite, and made misunderstanding impossible. We shall give it in the very words used:

"1. That any lectures or addresses, whether accompanied with prayer or singing or not, connected with the religious instruction of the children attending the national school, would not be regarded as a violation of the rule.

"2. That the attendance of the parents of the children, or their connexions, during such lecture or address, would not render it a violation of the rule.

\* "In many parts of the North of Ireland the Roman Catholics read the Scriptures with the Protestants and Presbyterians."—(Evidence of Mr. M'Cready, a Presbyterian, and chief inspector.)

† "Do these Roman Catholics generally continue in the school at the time of prayer?—I think they *all* do."—Evidence of Rev. H. Cooke, D.D., Presbyterian Minister.)

See also in the *Catholic Case Stated*, the evidence of Rev. Mr. Campbell, minister of Belfast:

"The Presbyterian body generally believe and act on the belief that they have obtained special privileges which exempt them from observance of the ordinary rules of the National Board;" (Evidence given before the House of Lords, 2nd June 1854):

Of the Rev. King Irwin, Rector of Magherafelt:

"My impression is that Presbyterian ministers and masters manage their schools just as they please, in total disregard of theoretic rules."

Of the Rev. Mr. Kennedy, Dean of Clonfert; and of an English traveller, Mr. Stapleton, who stated that at Belfast, Dr. Edgar, a Presbyterian minister and a professor of theology had said to him distinctly: that the Presbyterian schools are vested as national schools, on their own conditions; and that they order the Scriptures to be read in all schools, and the Catholic children assist at the reading. (*The Catholic Case Stated*, 100-101.)

"3. That in the opinion of the Board such lecture or address being given by a clergyman of any denomination or by a layman makes no difference.

"4. That the erection of a pulpit or of an altar in the school-house; and any assembly of the public generally for religious worship and instruction, whether such service be conducted by a clergyman or layman, would be regarded as a violation of the national system."\*

In consequence of these categorical explanations, more than one Presbyterian school became at the same time a place of meeting for the celebration of religious service. An altar was superfluous; they do not use one. As for a pulpit, they could do without it. The children, with their parents, formed a sufficiently large congregation. A portion of the Bible read aloud, the singing of a few hymns, and a sermon by the minister, made up their service. And all this was strictly within rule!

Some Catholic Inspectors pointed out these abuses. We shall not however appeal to their evidence, as its impartiality would perhaps be open to suspicion. The evidence of Presbyterian ministers is much more to our purpose. It is decisive, and leaves not the slightest doubt as to the outrageous violation of that neutrality in the matter of religion which was the fundamental principle of Lord Stanley's system, which it was the duty of the National Board to uphold and keep intact, and in the violation of which the Protestants were so deeply interested and have been so signally successful.

Let us hear Dr. Henry, a Presbyterian minister, and one of the members of the "National Board:" "The religious worship," said he, in 1854, before a Committee of the House of Lords, "is observed in few school-houses. In some cases the Presbyterian clergymen announce the intended service from the pulpit, as if it were public worship."

The evidence of the Rev. Mr. Campbell, an Anglican minister of Trinity Church, Belfast, is still more explicit. He had visited fifty-four schools in that town and the neighbourhood, and he said: "I found very generally that religious worship was carried on in the schools periodically," and with such regularity, that "the children go to no other place of worship. I am aware that under the guise of admitting the parents they are open to the public." "If we were to have public service according to our form in a national school-room, it would

\* *Letter of the Commissioners to the Rev. Dr. Stewart; 17 Oct. 1840.*

The Commissioners also call attention to the rule, on the subject of the first of these answers, that no child can be *obliged* to attend these lectures or addresses if its parents object.

instantly be interfered with by the Board. We could not pass it off under the name of religious instruction. It would be the case still more if a public service were held in the Roman Catholic form."

An enquiry made into the state of one of the Belfast schools, (the "Lancasterian Industrial National School"), at the request of the Catholic Bishop, Dr. Denvir, brought to light abuses of a still graver character.

This prelate had complained that the Catholic girls of this school (to the number of 53 out of 129) were obliged to remain for the reading of the Bible, for the singing of Protestant hymns, and for the explanation of Scripture given every morning before school-hours by a Protestant Schoolmistress.

The enquiry lasted six days. Seventeen witnesses were examined, in presence of the Protestant and Catholic Bishops of Belfast.

It was proved that for eight years, (from 1847 till 1855), *all the Catholic children* assisted every morning at an explanation of Scripture by a Presbyterian master,<sup>†</sup> followed by religious hymns. The children who had not assisted at these Protestant exercises were deprived of their breakfast, and got neither secular nor industrial instruction during the day.

When these facts came to light, the Education Commissioners speedily disavowed them, and declared them to be in flagrant opposition to the spirit of the system. But to temper their blame, they stated that: "after a careful examination of the evidence they were of opinion that in the management of the school the committee [ladies patronesses] were not influenced by any desire to convert the Roman Catholic pupils attending it to the Protestant faith, and were sincerely anxious to avoid even the suspicion of proselytism."\*

We are not going to enter upon the discussions which have arisen as to the number of Catholic children whose faith is endangered by these bold manœuvres. The opponents of the "National" system reckon them by thousands; its advocates reduce them to a few hundred.† The truth probably lies between

\* We must here add that the report of a Catholic Inspector upon all the attempts at proselytism discovered in Ulster was *not* published in the yearly Blue Books of the "National Board."

† We borrow a statement of both opinions from an official report:

"It has been stated that great numbers,—amounting to as many as 70,000,—of Roman Catholic children attending "National Schools" of which the patrons are Protestants, are in the habit of attending scripture classes in those schools under Protestant teachers. We have therefore made full enquiry into this matter, and we have ascertained:

"1st. That there are 1,351 National Schools under Protestant patrons, and attended by 50,184 Roman Catholic pupils.

"2nd. That of the 1351 schools, there are 443 attended by 35,862 Roman

the two extremes. But the question is not how many Catholic children are exposed to the manœuvres of dishonest proselytism; the question is more simple, and less of a nature to provoke discussion; it is simply this: have Lord Stanley's promises been kept, or have the original principles on the contrary not been wilfully and culpably set aside, principles which alone offered or could offer solid security to the families of the children to be educated?

In the three other provinces the number of mixed schools is less considerable, Catholic influence is preponderant, and the surveillance of pastors less difficult. Consequently the "national system" is less open to objection in Leinster, Munster, and Connaught, than in Ulster. But still even in the most Catholic districts, where there are "national schools" under Protestant patrons and masters, the change in the original rules renders it very easy to make Catholic children read extracts from the Scripture, and other works compiled or edited by Protestants and thoroughly imbued with the spirit of Protestantism.\*

We must however state that the large majority of schools in these three provinces are founded by Catholic priests, conducted by Catholic teachers, and attended by Catholic children.†

It might then be maintained with some show of truth that

Catholic pupils, in which the Protestant patrons appoint Roman Catholics as the teachers.

"3rd. That of the 50,184 Roman Catholic children, 1,816 join in the scripture classes under Protestant teachers.

"We have also found that 409 Roman Catholic children joined during the time of religious instruction in reading our Scripture Extracts and Book of Sacred Poetry under Protestant teachers; and that three Roman Catholics, at the instance of their mothers and guardians respectively, who were Protestants, received instruction under Protestant teachers in the Protestant Catechisms." —(26th General Report of the Commissioners of National Education in Ireland, for the year 1859; p. 27, 28.)

There were, then, according to the admission of the Board, 1,816 Catholic children in attendance at Scripture classes conducted by Protestant masters; 409 in attendance at Protestant religious instruction; and 14,322 in attendance at schools exclusively under the direction of Protestant patrons and teachers. Total, 16,547.

\* Our language is here again justified by Protestant evidence. A few years ago a Protestant minister, of the province of Munster, said: "*I can name many national schools, in which Protestantism is taught more freely than Romanism.*" And another church dignitary, Dean Kennedy, declared that: "*The principles of the national system are the principles of the reformation.*"!!

† To mention only one province, Munster, the "national schools" there counted, during the last quarter of 1860, 151,443 children; of whom 148,858 were Catholics. In 1859 in the single County of Cork there were 474 schools; 65,000 Catholic pupils; and only 471 Protestants scattered among 99 of these schools. This gives an average of something less than five Protestants to each mixed school, and 375 schools attended exclusively by Catholics. (See the speech on "National Education," by Dr. Croke, President of St. Colman's College, Fermoy.)

if in the southern and western provinces there is any danger of proselytism, that danger is for the Protestants and not for the Catholics.

Now, whilst no precautions have been taken to protect the sacred rights of faith of the Catholic children of Ulster, and whilst the different changes introduced into the original system have favoured the most audacious attempts at proselytism, nothing has been left undone to secure Protestant children from the dreaded influence of Catholic proselytism. These precautions, carried to excess, and adhered to with unbending rigour even where the schools are not mixed, these precautions, we say, quite conformable with the spirit of the system, prove with what solicitude the Board knows how to secure *Protestant* consciences from danger.

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## CHAPTER VII.

### PRECAUTIONS TAKEN AGAINST CATHOLIC PROSELYTISM.

IN the month of May 1854, a district Inspector visited a school at Youghal, (Co. Cork), conducted by nuns, and under the "National Board." This school was attended by 642 little girls of whom 7 only were Protestants. The Inspector learned that three or four of these children assisted at the religious instructions given to Catholics. They knew by heart, in fact, several prayers in use in the Catholic Church.

When questioned upon this matter, the nuns replied that in fact these children did remain in the school-room during the religious instruction of the Catholics. But during that time they were always put to work at something else. Besides, their parents were aware of the fact, and had in nowise objected. In fine, according to the rules in force, they were not obliged to exclude these children.

Thereupon followed a Report from the Inspector, accusing the Sisters of having taught Catholic prayers to young Protestant girls confided to their care. An order of the Board accordingly struck off the Youghal School from the list of "National Schools." An enquiry into the matter by the Committee of the House of Lords came next. At last the public came to be persuaded, worked upon by the Protestant press, that the schools conducted by religious men and women were but vast and secret resorts of proselytism, where perpetual conspiracies were carried on against the faith of Protestant children!

The conduct of the Youghal Sisters was however strictly according to the rule. They had not construed differently

from the majority of school-masters and school-mistresses one of the newly modified Rules of the Board of Education.

At this same period, in a "National School" of the County Armagh, at Bessbrook, 158 Catholic children were in the habit of assisting at an explanation of the Scriptures given by a Presbyterian master! The Dublin Board found no fault with this arrangement. The parents had made no objections. The rules declared that masters were not obliged to exclude these children from the school-room during the time of religious instruction. Nevertheless the Youghal nuns were put down, whilst the patrons and Presbyterian teachers at Bessbrook continued to enjoy the favour, and to share in the grants, of the Board! If the latter were right, in what were the former wrong? The latter were acquitted; why were the former condemned?

According to the parliamentary report of 1853, there were but 41 Protestants scattered among 7 Convent Schools out of 103, giving instruction to 47,157 children. Among the other 94 there was not a single Protestant.

The following are the precautions taken to secure this imperceptible Protestant minority from all attempts at proselytism. In the large majority of cases these precautions have, as may be seen from the above figures, no possible bearing. The sole result of them has been to fetter by little laws and galling restrictions those nuns who devote their lives to the ungrateful task of teaching the children.

The first of these precautions was an Order, by which a statement of the number of children of each religion was to be made four times annually, even in schools in which from the establishment of the system no Protestant child had set foot.

The second was an Order that religious instruction should be given only once a day; and that previously to it the bell should be rung, and the board, bearing the words *Religious Instruction*, displayed, accompanied by an announcement to the effect that the instruction was about to begin.

The making of the Sign of the Cross was absolutely forbidden outside the time of religious instruction.

It was also forbidden to interrupt the lessons, at the Angelus Bell, even to recite *mentally* the *Hail Mary*.

The children were forbidden to wear pious medals.

It was forbidden to display in the school-room, except during religious instruction, any emblems of the Catholic faith, such as the Crucifix, statues of our Saviour, of the Blessed Virgin, or of the saints.\*

\* In many of the schools visited by us these objects are kept in a little recess in the wall, at the end of the room, and hidden by a curtain, which is drawn aside only at the moment of beginning religious instruction.



Such are the restrictions imposed upon those religious men and women whose schools share in grants from the Board; restrictions which a zealous advocate of the system, a member of the House of Commons,\* declared to be purposeless in these sort of schools, since with trifling exceptions they are not mixed schools at all.

However galling these rules may be, however inoffensive and devoid of all danger to Protestant children may be the practices† so severely proscribed, these rules are nevertheless respected.

Although in conformity with the primitive spirit of the system, it may be said that they stretch it a point. Still the question of the right of conscience is one of such delicacy, these rights are so sacred to every upright soul, that we can in nowise blame the Board for adopting the most effective means of protecting Protestant minorities in Catholic schools. But if for the sake of 41 Protestant children it is deemed indispensable to impose these painful almost offensive restrictions on more than 40,000 Catholic children, how comes it that no uneasiness is shown in the case of those thousands of Catholic children who are with impunity made to listen to Protestant explanations of the Bible, to sing Presbyterian hymns, to receive a secular education in books composed or compiled exclusively by Protestants, and to assist at regular religious services in school-rooms turned into conventicles?

Is this the "*fair play*" of which administrators ought to be so jealous in a country like Ireland, and in a system such as that of Lord Stanley? Strict impartiality was the original motto of this system. What has become of it in practice? And especially let us ask, how does the government observe it in those schools which have been founded by it directly during the last twenty years, and of which it has the direction and is the patron?—we mean the Model Schools, which are more strongly objected to than any others by the Irish Episcopacy, and the Irish Catholic members.

\* Mr. Fortescue.

† For example the *mental* recitation of a prayer when the clock strikes, in order to bring children into the salutary habit of frequently calling to mind the presence of God.

## CHAPTER VIII.

## NORMAL AND MODEL SCHOOLS.

THE chief end of the "National" System of Education in Ireland is, as we have seen, to give a uniform literary education to children of different communions. The object of this system was to destroy gradually the prejudices which separate the different churches one from another, and to bind all Irishmen, whether Catholics, Anglicans, or Presbyterians, into one single national body.\* To attain this end more surely teachers had necessarily to go through a special training, in order to pick up the spirit of the system, and to become initiated into the best methods of applying its principles to teaching.

It was therefore above all in the Normal Schools destined for the training of Teachers, that people were to see a really liberal spirit and a sincere respect for all communions. Partiality grounded upon sectarian prejudices was reprehensible enough in other schools, but in Normal Schools it would be much more shocking; since it would there be nothing short of a disavowal of the whole system on the part of the very government itself. Now the five first professors appointed to the Dublin Normal School were all Presbyterians! Nor was any greater regard paid to nationality than to religion; for, of these five professors, not one was an Irishman; three were Scotch; the fourth English; and the fifth a German!

Later, three other professors were appointed, of whom two were Catholics. But the courses of Logic, History, Political Economy, and Literature remained in the hands of Protestants.

The sole religious exercise practised in the teachers' house is grace after meals, and this according to the Protestant form.

On Sundays the pupils can go to their respective services, but provided they are back for dinner no inquiry is made as to whether they have really been to their church.†

Since the establishment of the system up to the present day 5,640 teachers have passed through this Normal School. A large number of them were Catholics. During the whole of their course they were all subject to the influence of an education in almost exclusive Protestant hands.‡

\* Has this object been attained? We may be allowed to doubt it; since in Ulster, where more than eight-tenths of the schools are mixed, the mutual antagonism of the different creeds is much fiercer than in the three other provinces. Abundant proofs of this may be found in the following Book.

† "On Sundays they are required to attend their respective places of worship."—(*Rules and Regulations of the Commissioners*; part III, § vii, 2.)

‡ 27th Gen. Rep.; p. 14.

Not satisfied with itself training teachers of both sexes in the Normal Schools, government was desirous of having also primary schools of its own, in which should be applied in its name the method of the "National System," and which realizing so to speak the *beau idéal* of mixed education, should serve as Models to all others.

Established, the greater part, about the year 1845, when government had granted the Board a Charter of Incorporation, the Model Schools\* are at the same time "national primary schools" for the towns in which they exist under the exclusive direction and control of the Chief Board, and branch schools of the Dublin Normal Schools. In fact in each of these Model Schools eight or ten teachers of either sex are trained to teaching by being employed in the direction of children's classes, who after having finished their course are either kept in these model schools or sent as teachers into the ordinary schools.

The opposition of the Irish Episcopacy and Irish catholic members to these schools arises chiefly from two causes.

In the first place they complain that government is applying to Ireland a system nowhere existing in any other of the British possessions.† That the State should encourage education by grants is right and just. These grants are everybody's money; and the community at large has a right to expect that the proceeds of its sacrifices be applied to one of its chief wants. But the ideas and habits of the English nation are as averse to the direct interference of the State in education as ours in France are favourable to it.

In France, in fact, we are accustomed to see the State look after everything, and everywhere substitute its action for that of individuals. The State defends us by its troops; settles our differences by its judges; and educates our children by its schoolmasters and professors. The sphere of personal action independent of the control of the State is very narrow. If individuals are but too easily contented with a system which spares them the trouble of thinking, willing, and undertaking, and allows them to fold their arms and sleep in peace whilst by

\* Established in Dublin in 1833; in Newry, Ballymena, Clonmel, and Dunmanway in 1849; in Coleraine, Bailieborough, and Trim in 1850; in Athy and Galway in 1852; in Kilkenny in 1854; in Waterford and Limerick in 1856; in Belfast and Ballymoney in 1858. The last Report of the Commissioners spoke of the approaching opening of similar Schools at Newtownards, Sligo, Londonderry, Enniscorthy, and Cork, (27th Gen. Rep. p. 23.)

† "The system of literary model schools formed no part of the original scheme of education. In them the State, not content with promoting, directing, and superintending education, assumes the direct function of educator..... This innovation threatens to spread over the land a network of government education."—(Memorial presented by nineteen Irish Members to Mr. Cardwell, Secretary for Ireland, August 10th, 1860.)—See APPENDIX.

means of myriads of functionaries of every rank, kind, and colour, from the stone-breaker to the prefects, the inspectors-general, and the chiefs of all departments of administration, the State combines prepares works and does everything for them,—the government finds that it has not made a bad bargain, and seems in nowise disposed to limit its action. Did not people lately pretend that not content with having a State magistracy, State finances, and a State army, there was some idea of organizing a State charity, and even State muses?

English principles on this point are, it is well known, quite different. Individual and collective action is much less shackled in that country. Self government exists there at every stage. Everyone is used to transact his own business; whether alone, or by calling to his aid others who think like him and have the same tastes as himself. Among us whatever is not done by government stands a fair chance of not being done at all. Among our neighbours, on the contrary, the State only undertakes what individuals could not conveniently manage.

But if State interference is looked upon by an Englishman with a certain degree of jealousy, in nothing is it more so than in the matter of education, in which the greatest interests and the whole future of the family are at stake. Consequently the English government, which yearly devotes considerable sums to public education in England, Wales, Scotland, and Canada, leaves private associations free to establish schools, to found colleges, and in short to organise teaching under all forms and in all degrees.\*

In the particular matter of Normal Schools and branch Model Schools, in England and Scotland, the State makes liberal grants, but it has nothing to do with their administration. In fact they are not State schools.†

The Catholics of England already possess three Normal Schools,‡ the expenses of building and furnishing, of necessary works about the schools, and of salaries for masters and governesses, are partly met by grants annually made by the Committee of the Privy Council for Education. These schools are directed and administered by Catholic societies; they are visited by Catholic Inspectors; and Catholic Bishops and Priests have the sole control over their moral and religious direction.

\* Count de Montalembert; *De l'avenir politique de l'Angleterre*; ch. xi.

† In England and Scotland there are thirty-five Normal Schools, founded by private associations. The sum total of grants annually made to them by government, independently of grants for building and repairing, is £67,000.

‡ One for Masters, at Hammersmith, London; and two for governesses, one at Liverpool, and the other at St. Leonard's-on-the-Sea. The two last were founded by the Society of the Holy Infancy. A beautiful chapel has lately been added to Saint Mary's School, Hammersmith.

In all this the only interference of the State—if interference it can be called—is that of granting out of the public funds the sums required for the support of these institutions.

Now, if the English subjects of the British crown are by instinct or by traditional habit opposed to the direct interference of the State in public education, we can easily understand that sensitiveness upon this point should be still greater and distrust still better founded in Ireland.

Suppose the English government to establish in England and take under its exclusive direction a certain number of Normal, Model, Primary or other Schools. Suppose it to appoint the functionaries, to make the rules, and to direct or modify the tone of these schools, according to its good will and pleasure. That government would but be making use of a right. It would be the substitution of the French for English principle, it is true, and the substitution of centralization for the liberty of individuals or of associations. Thereby no doubt the State would risk falling foul of old habits, upsetting respectable traditions, and stumbling upon powerful prejudices. But it would be doing nothing essentially unbecoming or unjust.

Is the case the same with regard to Ireland? Is not the direct connexion of the State with education in that country open to special and very serious objections? That an English Protestant State should take in hand the direction of Protestant education in Protestant England, should place schools under its patronage, appoint and cashier masters, make and unmake rules, cannot be a matter of complaint to the most fretful conscience. But should this same English Protestant State undertake to establish in Ireland an official system of education, and to substitute its own exclusive action for that of individuals or free associations, then one can easily see ground for alarm; one can understand the complaints of the episcopacy, the protests of the national press, and the energetic declarations of the Irish representatives.

It is a government respectful even to scruple of the liberty of individuals and of private associations, which tries in Ireland the powerful arm of centralization! it is a State Protestant *ex officio* which in a Catholic country usurps the place of public teacher of the community, by the schools it is establishing, the masters it is training, and the rules it lays down! Is it any wonder that the Catholics of Ireland are not at all desirous of placing their children under such a tutelage? What security can such a system offer for them? Or to speak more plainly, is not the distrust expressed towards it but too well founded?

They are not hypothetical fears nor chimerical apprehensions which have called forth so unanimous and formidable an opposition to the Model Schools founded and directed by the State.

They have been seen at work,\* and the conviction has been arrived at that the State if directly possessed of education in Ireland would have neither the wisdom nor the strength to observe the impartiality so solemnly promised in the system of 1831, and the schools under which were according to its framers to set an example to the rest of Ireland. The State, Protestant itself, evinces a manifest preference for Protestants. This astonishes nobody; but it irritates Catholics, and justifies the complaints of their pastors and the protests of their representatives in Parliament.

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## CHAPTER IX.

### FREE RELIGIOUS SCHOOLS.

THE distrust of Catholics for the "National" System, and especially for the direct interference of the State by means of Model Schools, has brought about a reaction. This reaction has manifested itself in the favour with which free religious schools have been received, and by their increase of late years.

These schools receive nothing from the State. Consequently the State has nothing to do with them. Education in them is wholly and professedly Catholic, just as in the schools of the *Church Education Society* it is wholly and professedly Protestant.

Besides the numerous Religious Orders of women devoted in Ireland to the work of education, and to whose influence society owes the enlightened faith the firm principles and the inviolable attachment to their duties which the young girls brought up by them carry with them into domestic life, it is the *Christian Brothers* † who represent in the most complete manner free primary education in Ireland.

\* Clonmel model school: 134 children, and 3 Protestant Masters; 561 children and 2 Catholic Masters. Kilkenny School; 37 children and 3 Protestant Masters; 213 Catholic children, and 2 Catholic Masters.

In all the Model Schools there are no other books than those edited and approved of by the Board of Education. In many of them the children read the extracts from Scripture under Protestant masters. At Coleraine the Catholic children, who form a minority in the school, sing the same religious hymns as the Protestants. Lastly it is painful to have to add that many cases of apostasy which have occurred within the last four years seem to be owing to the influence of these Model Schools.

† An Irish congregation, distinct from and independent of our French *Brothers of the Christian Doctrine*.

Their methods, their books, the solid religious and moral instruction which enters into their teaching, the success of their pupils, and finally the testimony even of the bitterest Protestants in their favour, such are the causes which have made the Brothers' Schools a decided success. Quite apart from all this they are fortunate on every score. they are encouraged by the unbounded liberality of the faithful and the approval of the episcopacy, not to mention that absolute freedom of association and teaching respected by the English government even in the case of those whose influence it most dreads, whom the most intolerant minister would blush to harass with the mean and clumsy annoyances which are daily to be met with in some Catholic countries. It may then be safely affirmed that the future of the schools of these good religious will be even more fruitful than the past.

When we visited in Dublin, Cork,\* Derry, Armagh, and Drogheda, these well ordered schools, questioned the children on the subject of their studies,† looked over their grammar and arithmetic lesson-books, and heard them recite the finest pieces of poetry and prose naturally and with grace and feeling,—we could not suppress an ardent desire for the rapid multiplication of these schools.

Nothing indeed can be more beneficial than such a competition between the free schools and those belonging to the "National System." It keeps alive zeal and emulation among both pupils and masters, and it must finally end in the triumph of the best methods of education.‡

There is one feature in the instruction given to children in

\* We may especially mention the splendid schools in Peacock Lane, Cork, where there are no less than *one thousand* children under the enlightened and paternal direction of the worthy Brother J. B. Duggan. The two other Cork schools under the Brothers, (Sullivan's Quay, and Blarney Lane), receive 900 children. Total for Cork : 1,900.

† In many of these Schools the Brothers not only give primary instruction, but also a very complete professional one, by means of which the scholars may, later, enter upon an honorable and lucrative career in industry or in the mechanical arts.

At Dublin the Brothers have also charge of the Deaf and Dumb Asylum at Cabra. They obtain there, by their methods, the most admirable and consoling results.

‡ Among the Protestants who willingly rendered homage to the schools kept by the Brothers and Sisters, we may specially mention : Dr. Higgin, Protestant Bishop of Derry ; Mr. Maurice Cross, secretary to the Board of National Education ; Messrs. Stephens and M'Blaine, Endowed Schools Commissioners ; and an English gentleman, Mr. Stapleton. The evidence of this last gentleman, given before a Committee of the Lords in 1854, is of so much the greater weight inasmuch as Mr. Stapleton began by affirming that "the Catholic religion is a system of idolatry ; a Romanist Priest could never be a loyal subject to a Protestant Queen, because he is, *ex officio*, a sworn enemy to his heretical sovereign."—(A. G. Stapleton, Esq. ; Evidence before the Lords' Committee, 1854.)

the free religious schools, which ought not to be passed over in silence.

Whilst in the system so improperly termed "national," every thing tending either directly or indirectly to recall to children's minds the glorious memories of Ireland's past has been banished from the school-books, those published by the Christian Brothers allot to national history and literature a place somewhat proportioned to their importance.

The abridged Book of History forms a compact volume of about six hundred pages, of which one-fifth is devoted to the History of Ireland. Clear and methodical, although brief, this summary embraces a period extending from the first origin of Irish Annals to the act of Emancipation in 1829. Consequently there is not a child educated at the Schools of the Brothers who is not familiar with the glorious names of St. Patrick, St. Columbanus, St. Brigid; of O'Brien and O'Neill; and in later times of Grattan and O'Connell; as well as with all the facts which these great names recall.

The literary extracts\* have been compiled in the same spirit. Beside the English selections have been inserted the most remarkable fragments of the poetical and prose writers of Ireland. Systematically banished from the books of the "National" Board, some of Thomas Moore's beautiful Melodies are learned and recited with as much taste as feeling by the pupils of the Brothers.†

In a word, sentiments of the purest Catholicity, of love of country, of justice, of all that which with religion most efficaciously tends to exalt the soul, to strengthen the character, and to inspire with great ideas the noblest devotedness,—such are the elements composing the education given by the Brothers, and by which it has justly become so popular in Catholic Ireland.‡

\* "*The Literary Class Book*, or Fourth Series of Select Reading Lessons, in prose and verse; by the Christian Brothers."

† We also find there a piece on Greece by Callanan; fragments of the History of Poland; and detached pieces of the finest Speeches of Curran, Grattan, and Shiel.

‡ It is needless to say that the compilers of these books have not been at all exclusive. English literature is well represented in them by Shakespeare, Addison, Milton, Dryden, Sheridan, Goldsmith, Sterne, Chatham, Thomson, Sir Walter Scott, and Cardinal Wiseman. The editors conceived also the happy idea of familiarising their pupils with foreign literature, by translating some of the finest parts of Bossuet, Fenelon, Bourdaloue, Massillon, Chateaubriand, Laplace, Leibnitz, Schlegel, Dante, and Manzoni.



## CHAPTER X.

## COMPLAINTS OF THE EPISCOPACY AGAINST THE "NATIONAL" SYSTEM.

IN its outset, the "national" system was generally received with favour by the Catholic clergy and laity. The dangers which threatened the faith of the children in the Kildare Place schools,—the solemn guarantees of impartiality and strict respect for the rights of conscience promised by the new system,—the liberal ideas, and kindly intentions of the ministry,\* which signalised its name by proposing this system but two years after the Emancipation Act,—all concurred to secure for Lord Stanley's system a sympathetic welcome, and the confidence of the Catholic population of Ireland.

As was very well said: "in fact it was a treaty declaring in the face of the empire and of all nations, that Irish Catholics were not only politically emancipated, but that the state of which they were members was about to place funds at their disposal to enable them to educate their children both as Catholics and as citizens."†

The presence of Dr. Murray, Catholic Archbishop of Dublin, at the Board was an unequivocal proof of the good will with which Irish Catholics lent themselves to this experiment.

By degrees, however, the first changes made in the system inspired a certain number of prelates with doubts and misgivings. The illustrious Archbishop of Tuam, Dr. MacHale, after having waited a few years in silence, thought it his duty at last to pronounce openly against the system as early as 1835.‡ His views were soon shared by other bishops; and a division much to be regretted ensued among the episcopal body. It was certainly disadvantageous to the interests of faith to see the pastors themselves engaging in those public discussions which a policy more skilful than honorable prompted the government to foment. The Holy See, conscious of the damage to the authority and consideration of the bishops which would ensue from such polemics, wisely forbade

\* That of the late Earl Grey.

† Mr. W. Kavanagh; (*The Catholic Case Stated*; p. 20.)

‡ Letters of the Lord Archbishop of Tuam to Lord John Russell; Oct. 24th, 1835; April 7th, 1838.

after consultation all public controversy on the Education question.\* New attempts, however, against the original integrity and impartiality of the system soon united once more all the members of the Irish episcopacy in one way of thinking.

In the Rescript of the 16th January 1841, the Holy See had formally expressed a desire that the right of ownership of schools founded by bishops or parish priests should remain in the hands of the founders.

But immediately after receiving its charter of incorporation in 1845, the Board refused grants to all Schools the fee simple of which was not transferred to itself. This put the majority of Catholic priests in a very difficult position. It was nothing short of obliging the Bishops either to overrule the express wish of the Holy See, or to deprive a large number of poor localities of the benefits of education.

The Bishops protested for the first time against this new disposition in the month of October 1847,† and three years later, at the Synod of Thurles, they adopted with regard to the "national system" a number of Resolutions, which were soon after canonically approved at Rome.‡

These complaints produced no effect. The very years immediately following the Synod of Thurles were those during which the original character of Lord Stanley's system was most gravely altered. It was during this period that the "national" Board most vigorously pushed forward the foundation of Model Schools, as an infallible means of getting education more completely into the hands of the State, and of divesting it in proportion of its character of strict neutrality between the different religious communions.§

Amongst the documents in which the complaints and demands of the Irish episcopacy were made public,|| especial mention must be made of a collective letter addressed to Lord Carlisle, Lord Lieutenant of Ireland, on the 5th of August, 1859. It shews clearly the immense difference between the actual system and that promised to Ireland in 1831.

\* Rescript of Cardinal Frasoni, Prefect of the Propaganda; 16 Jan. 1841.

† "We are of opinion that the changes introduced in the national system of education are most serious and dangerous; that they are in opposition to the instructions of the Holy Father, who recommended that the property of the schools should be vested in the Bishops and Parish Priests. That we therefore petition Parliament for the amendment of such portions of the system as we deem incompatible with the discipline of our Church, with the full and free exercise of Episcopal authority, and with the safety of the religious principles of our Catholic children."

‡ Acts of the Synod of Thurles, Aug. 1850, approved May 23rd 1851.

§ Letter of Dr. Cullen, at that time Archbishop of Armagh, to Alderman Boylan, Aug. 1851. The foundation of Model Schools then everywhere aroused the opposition of the Bishops.

|| *Pastoral Letters* of 1853, 1857, 1861.

The chief grievances declared to Lord Carlisle with great force by the bishops were these:

That the lawful authority in the direction of and control over the education of the faithful with which the pastors of the Catholic Church are invested was completely disallowed in a system affording education to more than half a million Catholic children;

That the influence and counsels of the Bishops were absolutely null in the appointment of members of the "national" Board, in the drawing up of its Rules, in the choice of its Inspectors, in the selection of the books used in the schools, and in taking proper measures to protect the faith of the children from all peril.

They recognised the right of government to look after the use made of sums allowed for education; but taught by past experience, they accordingly demanded that government should abandon in Ireland the system of mixed education, and that it should grant to the Catholics of that country for the exclusive Catholic education of their children such a proportion of the public funds as their numbers and their share in the burthens of the state entitled them to expect.

They finally announced their intention of inviting the faithful to make use of all constitutional means in their power to express their wishes to the government and legislature in order to obtain the inestimable benefit of free and really Catholic education.

Four months later\* Mr. Edward Cardwell, Secretary for Ireland, answered this memorial. His letter, though temperate, and written in the most deferential and conciliatory tone, was nothing less than a point blank refusal on the part of government to the demands of the Bishops, and a formal announcement of the intention of the government to uphold in its integrity the system of "national education."†

This decided antagonism between the government and the episcopacy could not fail to have a direct effect upon public opinion.

A certain number of Catholic Members of Parliament met, and among other Resolutions declared conformably to the Pastoral of the 5th of August preceding, that: the principle of free and separate "education in its three stages,—Collegiate, Intermediate, and Primary,—Catholic for Catholics, and Protestant for Protestants,—was in itself a just and expedient principle; and that considering the position of Ireland it was the

\* Nov. 28, 1859.

† The Archbishop and Bishops answered this letter of Mr. Cardwell in the month of March 1860.

one most in harmony with her wants, as well as with the system established by government in England and the colonies.”\*

During the winter of 1859, public meetings upon the subject were held in many dioceses. The faithful were called upon to sign Petitions to Parliament for the redress of the grievances pointed out by the pastoral vigilance of the Bishops, and concerning which no Catholic could for the future be in the dark.† This legal agitation was a prelude to the grave discussions which took place in Parliament at the end of the session of 1861, and which terminated in the latest alterations made in the “national system.”

## CHAPTER XI.

### PARLIAMENTARY DISCUSSION OF 1860.—CONCESSIONS MADE TO THE CATHOLICS.

A MEMORIAL signed by nineteen Members of Parliament,‡ and forwarded to the Secretary of State for Ireland on the 10th of August 1860, summed up the complaints of the episcopal body as well as of Catholics generally, upon the subject of education.

Government was in this document plainly accused of having tolerated the introduction of the weightiest alterations into the system of 1831. It was asked whether it was the intention of government to adhere to these changes, or on the contrary to return honestly to the original plans of Lord Stanley, and to satisfy the demands of the episcopal body.§

\* The Resolution of this meeting bore also on the condition of Tenants, and on the state of the Poor Law. (*Tuam Herald*, Dec. 17, 1859.)

† Meetings at Thurles, 22nd Jan. 1860; Kilkenny, 31st Jan., presided over by the Mayor, Mr. Edmund Murphy, (See speech of Rev. Mr. Aylward); Petitions signed in the dioceses of Elphin and Achonry, Feb. 1860; Pastoral of Dr. Keane, Bishop of Cloyne, May 16, 1860.—This last sums up in a clear and energetic manner the different changes made in Lord Stanley’s system, and the dangers resulting from them, especially for the Catholic children of the north of Ireland. Not at all exclusive in his opinions, this prelate recognizes the right of government to watch over the employment of the funds allotted for education, and to assure itself that literary education is properly given; nor does he hesitate to demand the same guarantees for Anglicans and Presbyterians as for Catholics: “And while,” he says, “the Bishops urge this claim for the benefit of their own flocks, they think it equally fair that Protestants and Presbyterians should receive separate grants to be applied to them on precisely the same principle.”

‡ Lord Castlerosse; Messrs. More O’Ferrall, Maguire, Cogan, Waldron, Esmonde; the O’Conor Donn; Messrs. Lanigan, D. O’Connell, Mac Evoy; the O’Donoghue; Messrs. Monsell, Gavan, M’Cann, Blake, Sir G. Bowyer, Brady, Sir John Acton, and Hennessy.

§ The text of this important document will be found in the APPENDIX.

Mr. Cardwell answered this memorial as well as the previous complaints of the Irish Bishops on the 16th of August, in the House of Commons. When applying to Parliament to vote the funds required to meet the expenses of the "national system," he attempted to clear this system of the charges brought against it.

After having reviewed the last official statistics, and told the House that during the preceding year the Methodists and members of the *Church Education Society* who were opposed to the system in the outset had asked to be allowed to share in the government grants, Mr. Cardwell entered upon a detailed discussion of the memorial forwarded to him by the Bishops, on the fifth of August, 1859. He denied that Lord Stanley's system had undergone any essential alteration; although in several points present practice might seem to be different from the plans originally put forth in the celebrated letter of 1831.\* He refused once more in the name of government, to substitute the *denominational*† system in force in England and the colonies for the mixed system of education.

Previously to entering upon the discussion, however, Mr. Cardwell promised to satisfy some of the demands made in the name of the Catholic body by their Bishops and representatives in Parliament.

Accordingly government engaged: To increase the number of Catholics on the Board, and of Catholic Inspectors;

To waive their claim upon the fee simple of the land occupied by Schools, the building of which the Board had aided;

To order a revision of school-books by the Board, not indeed for the purpose of banishing the religious element common to all Christian denominations, but, at least to give a larger space to subjects of especial interest in Ireland.

Finally, to establish no more Model Schools without consulting Parliament.

Mr. Cardwell's speech, remarkable for temper, for propriety, and for an exquisite urbanity with regard to those whose opinions he was combatting, contrasted painfully with the passionate and acrimonious language in which Mr. Deasy, Attorney General for Ireland,‡ criticized the demands of the Bishops, and advocated the "national system."

He accused the episcopacy of pretending to the "exclusive control of the education of Catholic children in Ireland," and

\* "He admitted that Lord Stanley's letter appeared to contemplate that the system would have a different operation from that which it really had."

† That system which appropriates to each sect a separate portion of the grants destined for public education.

‡ Appointed, in 1861, Fourth Baron of the Court of Exchequer. Mr. Deasy is himself, too, a Catholic.

of forgetting that no Protestant Parliament would vote a shilling to uphold a system in which Catholics "wished for schools in which they could place the image of the Virgin, and teach the doctrines of their own Church," and "in which they could use books framed by themselves which could contain passages in all probability, not very favourable to Protestantism."

Mr. Deasy so far forgot himself as to oppose the unanimous wishes expressed by the Bishops, the Clergy, and the laity, and even to treat with disdain what he said : "was put forth the authoritative demand of an ecclesiastical synod, an assemblage which, whether convened from Canterbury or from Rome, could carry no weight with the people of England." [!]

This language scandalized both Catholics and Protestants. It was commented upon with noble indignation by Messrs. More O'Ferrall,\* Monsell, Maguire, and Colonel Dickson,† who answered Mr. Cardwell's speech by a detailed study of the "national system"‡ and proved how widely it had diverged from the original plan of Lord Stanley.

At the close of this long and memorable discussion Lord Palmerston himself thought it necessary to intervene; and the grant asked for by Mr. Cardwell was voted. This was a formal approbation again given by Parliament to the "national system."

Several of the changes promised by the Secretary for Ireland have already been effected.

The number of members at the Board has been raised to twenty, of whom ten are Catholics.§

A committee for the revision of books published by the Board has been appointed.

A new form of contract has been drawn up, which leaves in the hands of patrons and founders the fee simple of schools even when built by government aid.|| Since the month of August 1860 no new Model School has been founded.

While doing justice to the English government by chronicling these concessions to public opinion, all of which are in favour of Catholics, we must however still affirm that the chief

\* "Mr. More O'Ferrall said that it was unnecessary for him to comment upon the speech of the Attorney General; for one more intemperate, more contradictory, or more dangerous to the peace of the country with the preservation of the peace of which the Right Hon. gentleman was charged, he had never heard in that House."

† M.P. for the Co. of Limerick; and a Protestant.

‡ Especially Messrs. Maguire and Monsell.

§ See Thom's *Offi. Direct*, 1862, for the names of the ten Catholic members with the date of their appointment; p. 776.

|| The aid given on these occasions amounts to two-thirds of the expense of the school buildings. The contracts referred to are the *Trust-Deeds* between the founders of the Schools and the Board.

grievances complained of by the Irish episcopacy and members as existing in the national system still continue to exist.\*

The changes successively wrought in the fundamental rules of the system have made education in Ireland at the present day a kind of compromise between Lord Stanley's system and that in force in the rest of the British Empire.†

On the one hand it is no longer that absolutely impartial system which was to "banish even the suspicion of proselytism." The efforts of the Presbyterian party, and of many influential members of the Established Church had obtained alterations quite subversive of the rigorous neutrality promised with regard to the Catholics.

Neither, on the other hand, is it the system in force in England, Scotland, and the Colonies; under which each religious communion enjoys the liberty of giving religious instruction as it may think proper.

In fact mixed education, first established in Canada, has there already gone down before the persevering efforts of the Catholics.‡

In Prince Edward's Island, and Newfoundland, separate education has supplanted the mixed system.

At Malta the State schools are Catholic. In Australia both systems are in force; and there is nothing to oblige families to send their children to mixed schools.

It is however in England, Wales, and Scotland, especially that the Denominational System guarantees to each Church the most entire liberty of conscience in the important work of the education of youth.

At the head of Public Education there is a Superior Board,

\* And accordingly the session of 1861 witnessed some warm discussions on this subject. The Bishops assembled at Dublin had already denounced in a collective letter the grave dangers to which the changes of 1847 and 1855 exposed the faith of Catholic children. Messrs. Monsell and More O'Ferrall (in the debate of 15th July, 1861) energetically demanded a return to the original condition of impartiality and neutrality guaranteed in the plan of 1831. The system was no less vigorously attacked, although from a very different point of view, by three Protestant members, Messrs. Whiteside, Butt, and Longfield.

† "The national system of education in Ireland was distasteful alike to Protestants and to Roman Catholics. It was neither a Christian nor a united system; and it was accepted by the Irish people only because their necessity compelled them to adopt it."—(Speech of Mr. Longfield; debate of 11th July.)

‡ This is what was said by the members who signed the letter of the 10th of August 1860:

"We wish to know whether the alternative proposed to us is the English system on the one hand, and the original Irish system on the other, or whether we are invited to acquiesce in a system equally remote from both."

§ In Upper Canada, two French Bishops, Drs. Charbonnel and Pinsoneault largely contributed to the gaining of this victory.—See the Act of the Canadian Legislature, entitled, *The Separate School Act*.

composed of the principal members of the Cabinet, and presided over by the President of the Queen's Privy Council.\*

Every year Parliament places at the disposition of the Board the sum required to meet the expenses of the ensuing year.

All schools which comply with the conditions determined by the rules are admitted to share in these grants.

As for Catholic Schools, religious and moral instruction is given in them under the control of Priests lawfully approved of for this purpose by the Bishop in each diocese.

An administrative council, of which Catholic Priests are *ex officio* members, regulates everything touching the appointment or dismissal of the teachers, the employment of the funds, &c. The members of this administrative Council must be Catholics; they are elected by Catholics subscribing from 10s. to £2 yearly.

Catholics alone are eligible to the posts of Master or Under-master.

The Inspector of Catholic Schools must be a Catholic. He is appointed by the Committee of Council on Education, on the presentation of the Catholic Poor School Committee, the official organ of communication between the Catholics of Great Britain and the Chief Committee.

The other religious communions,—Anglicans, Presbyterians, Methodists, Anabaptists,—receive upon the same conditions a proportional share of the government grant.

In this system the State contributes largely to the expenses of public instruction; keeps in its hands the control and administration in chief of literary education and school discipline; and at the same time leaves each church perfectly free in the matter of religious instruction. Although Anglican, the State does not consider itself entitled to teach Catholics their catechism, nor to give to Presbyterians and Quakers courses of lectures on the interpretation of the Scriptures. But as the funds at its disposal are public money, it considers that all citizens have a right to a share of these funds, and to bring up their children conformably to the principles of their creed.

By a contrast singular enough, but full of hope for the future, the Protestant government of Great Britain, with a State Religion the principles of which it applies to the larger portion of matters relating to public administration, is nevertheless one of the governments of Europe by which liberty of

\* Committee of Council on Education; Chairman, Lord Granville.—(Thom's *Offi. Direct.*, 1862, p. 184.)



conscience is most respected on the weighty question of education.\*

But, as though it were Ireland's irrevocable fate to be kept without the pale of common rights, it has not yet been deemed possible to let *her* benefit by a rule so liberal and intelligent, a rule so creditable alike to governors and governed.

Neither the instances of her Bishops, the petitions of her citizens, nor the reiterated efforts of her representatives have, up to the present, succeeded in winning for her this boon in the matter of primary instruction.

Has she been more fortunate in the matter of Intermediate and of University Education?

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## CHAPTER XII.

### COLLEGES AND UNIVERSITIES.

#### § 1.—INTERMEDIATE EDUCATION.

THE only establishments in Ireland destined for Intermediate Education are either exclusively Protestant, and largely endowed by the State,† or exclusively Catholic, and entirely dependant upon the voluntary contributions of the faithful.

\* Prussia may be added. A very remarkable document dated Berlin, the 10th Nov., 1859, sent to Dr. Cullen, Archbishop of Dublin, and published in the Irish Catholic papers in the month of May, 1860, gives the most interesting details upon the security given to Catholics by public instruction in Prussia.

The Normal Schools are all *denominational*, or as the Germans say *confessional*. Catholics have eighteen of them. The Director is always a priest, appointed by the King, after consultation with the Bishop of the diocese.

The Bishops have the exclusive control of religious instruction, and a right of *veto* in the matter of class books even accidentally treating of religion or morals.

As far as local resources will allow, primary schools are likewise *confessional*. This is according to the formal direction expressed in article 24 of the Constitution of Jan. 31, 1859. There are consequently no mixed schools, except where it is impossible to avoid it.

The local Inspector of every Catholic school is invariably the Parish Priest. The Inspector in Chief for the district is the Dean. An analogous organization prevails in the Protestant Schools.

Colleges for Intermediate Education (*Gymnasien*) are all *confessional*, except that of Esseau. Catholics have forty such Colleges. The books used in the Catholic Colleges are submitted to the examination of the Bishops. The Bishops have besides a right to visit these establishments, or to depute Inspectors to do so.

At Bonn and Breslau, there are faculties of Catholic Theology; and at Munster a Catholic Academy. But for the higher courses of Literature, Science, Medicine, and Law, the Catholics are obliged to follow them in the Protestant Universities.—(Letter on the actual state of education in Prussia; *News*, May 3rd, 1860.)

† Even at the present day Grand Juries are obliged to rate counties for the support of these Protestant Colleges, founded as they were out of the proceeds of confiscation, and the burthen of which is still supported by Catholics.

The Protestant Colleges for intermediate education are twenty-seven in number:

The College of St. Columba (Rathfarnham, Dublin), which directly prepares its pupils for the Protestant University;\*

The *Royal Schools* of Armagh, Banagher, Cavan, Dunganon, Enniskillen, and Raphoe; which have twenty burses at the Dublin University.†

The *Endowed Schools* of Bandon, Ballyroan, Clonmel, Kilkenny, Kinsale, Lifford, Londonderry, Middleton, and Youghal.‡

The *Schools of Erasmus Smith*, founded in 1669, to the number of Four (at Drogheda, Ennis, Galway, and Tipperary,) and enjoying fifty burses at the University.

Finally, the *Diocesan Schools*, of Carlow, Cork, Downpatrick, Elphin, Monaghan, Wexford, and Tuam.

All these richly endowed schools form the natural recruiting ground of the Protestant University of Dublin.

As to the Catholics, being without any assistance from the State, they have been obliged to make the most heroic efforts to secure for their children the advantages of Intermediate Education. Still, notwithstanding the zeal of the clergy and the boundless generosity of the faithful, these Colleges are but few in number. The only establishment of this kind which is endowed by the State is the Royal College of Saint Patrick at Maynooth; in which both humanities and divinity are taught to pupils exclusively destined for the ecclesiastical state. No Catholic lay College is supported by the State; and in reality the whole burthen of Intermediate instruction falls upon Irish Catholics themselves.§

\* Thom's *Off. Direct.* 1862; (pp. 690 and 792.)

† *Ib.* p. 791.

‡ *Ib. ib.* Londonderry school has five, and that of Lifford two, burses at the University. An inquiry made a few years ago brought to light grave malversation in the financial administration of many of these *Endowed Schools*.

§ The following is a list of the principal Catholic establishments in which Intermediate instruction is given:

The Colleges of: St. Patrick, Carlow; St. Kieran, Kilkenny; St. Patrick, Thurles, (all three incorporated with the London University); St. Austin, Cavan; St. Jarlath, Tuam; St. Patrick, Armagh; St. John, Waterford; St. Peter, Wexford; St. Colman, Fermoy; St. Macartan, Monaghan; St. Columba, Derry; and that of the Immaculate Conception, at Athlone. All these establishments are under the direct patronage of the respective diocesan Bishops. There are besides four Colleges conducted by the Jesuits, (Clongowes Wood, co. Kildare; St. Francis Xavier, Dublin; St. Stanislaus, Galway; and Tullamore); two Colleges conducted by the Dominicans, (at Athenry and Newbridge); the College of the Immaculate Conception conducted by the Carmelites (at Knocktopher, co. Kilkenny); and the French College of the Immaculate Heart of Mary (at Blackrock Dublin), conducted by the Fathers of the Congregation of the Holy Ghost. We might also mention the intermediate schools of St. Lawrence (Harcourt-street), and St. Lawrence O'Toole (Ushers-quay, Dublin). [Thom's *Off. Direct.* 1862; p. 793.—Battersby's *Cath. Direct.* 1862; pp. 297-300.]

## § 2. SUPERIOR EDUCATION.

Superior Education is supplied in Ireland by three Universities.

One is exclusively Protestant; that of *Trinity College*.

The second is mixed; that of the *Queen's Colleges*. Both these were founded and endowed by the State.

The third is exclusively Catholic, neither recognized nor supported by the State; and it is supported by the Catholics of Ireland.

THE PROTESTANT UNIVERSITY OF DUBLIN, (*Trinity College*.)

Established in 1591 by letters patent of Elizabeth, Trinity College is one of the richest foundations made by this princess in favour of Protestantism. Not to mention thirty-two ecclesiastical benefices in its gift, its annual revenue is estimated at no less than £64,000.\*

Catholics ceased to be excluded from the courses at Trinity College at the end of the eighteenth century; and, less intolerant than the English universities, the Dublin University may by its rules grant degrees in literature, sciences, and arts to all aspirants without distinction of creed.

Notwithstanding this, it is easy to understand how this University, connected as it is so intimately with the Established Church in Ireland, has never inspired Catholics with any but the strongest feelings of repugnance.† The numerous benefices in its gift annually draw thither young Protestant aspirants to the pastoral charge, as well as the solid temporal advantages which the ecclesiastical career generally holds out in Ireland. But precisely because this University is looked upon as the seminary of the Anglican Church, and is in fact the hot-bed of Protestant proselytism,‡ it has never counted within its walls more than a small number of Catholics.

\* Thom's *Off. Direct.* 1862; p. 688. We are quoting official figures. This revenue comprises: 1st. Revenues from lands belonging to the university; 2nd. University fees, both for the courses and degrees. According to official valuation the land revenues amount to at least £32,000 a year. The University has besides in its gift thirty-two benefices, to which junior fellows are eligible. The total revenues of these livings may be estimated at above £20,000. For the internal regulations of this University see Thom's *Off. Direct.*; p. 787. The Chancellor of Trinity is the Archbishop of Armagh, Lord John Beresford; [deceased since the publication of this book in the original]. Nobles, baronets included, form a special order of students. The University sends two members to Parliament. The average number of students is 1500. There are sixty professors, whether titular or supernumerary.—(Thom; p. 688.)

† M. de Beaumont; vol. i., p. 320.

‡ The University Senate (Provost, Senior and Junior Fellows) counts 25 ministers out of 33 members. (Thom's *Off. Direct.*; 1862, p. 787.)

THE QUEEN'S UNIVERSITY, (*Queen's Colleges.*)

The manifest injustice of which Catholics were the victims in the organization of the higher kind of education, induced the late Sir Robert Peel's government in 1845 to propose to Parliament the establishment of a new University.

Different from Trinity College, the organization of which is exclusively Protestant, the Queen's Colleges were to represent in the higher spheres of education the mixed principle already established in the primary "National Schools."

The Bill of foundation, brought in by Sir James Graham in May 1845, received the royal assent in the month of July following. The three Colleges, of Belfast, Cork, and Galway, were opened with great solemnity in December 1849; and in 1850 were erected into a University, comprising the three faculties of Arts, Medicine, and Law, with the power of conferring degrees upon students who had followed the courses in one of the three colleges and passed the examination.

The fundamental principle of this new University is, that being open to all creeds, it gives an exclusively profane education into which the religious element can never enter. The predominant feature of the Queen's Colleges\* is then absolute indifferentism; and this explains why at the very outset these Colleges excited in the highest degree the mistrust of the Catholics.

The Bishops, who in the beginning had approved of and accepted the "national system" of primary education, have ever been unanimous in condemning the Queen's Colleges. Scarcely indeed had the plan of superior instruction been proposed to Parliament, and become known to the public, when an assembly of Bishops, at Dublin, under the presidency of Dr. Murray, unanimously condemned the new University.†

The Repeal Association added its protest to that of the Bishops, in six Resolutions, passed in the month of July 1845; and in 1850 a fresh condemnation of the Queen's Colleges was pronounced by the Synod of Thurles.

Finally a still more weighty authority sanctioned this universal disapproval. The Sovereign Pontiff pronounced the pain

\* Whence the name of "Godless Colleges" given to them by the Protestants themselves.

† "Resolved that having maturely considered the Bill now pending before Parliament for the extension of academical education in Ireland, and giving credit to her Majesty's government for their kind intentions manifested in the endowment of the College of Maynooth, we find ourselves compelled by a sense of duty to declare that anxious as we are to extend the advantages of education we cannot give our approbation to the proposed system, as we deem it dangerous to the Faith and Morals of the Catholic pupils."—(23 May 1845.)

of suspension *ipso facto* against any Catholic priest who should accept a Professorship or Chaplaincy in the Queen's Colleges.\*

In fact the indifferentism of the new Colleges has not made them less suspected by the most upright even of Protestants.

What is the result?

If government sincerely wished to facilitate superior education for Catholics, it has utterly failed. The Queen's Colleges will never become the University of Catholics. Condemned by the episcopacy, condemned by Rome, these Colleges would naturally be and have been condemned by the faithful.

Did government want to encourage superior education in Ireland, by founding new chairs, and multiplying university centres?†

If so it has no less signally failed. Compared with the enormous sums spent upon the Queen's Colleges, the results have been wretched. Figures are neither Protestant, Catholic, English nor Irish: and they tell us that this attempt has hitherto been absolutely sterile, and that persistence will be fraught with nothing but ruin for the future.

They tell us, in fact, these things:

That the Queen's Colleges have already cost £397,600, thus divided:

Construction, appropriation, and furnishing of the Colleges,	£100,000
Repairs, &c.	19,200
Yearly endowment, out of the consolidated funds, at the rate of 21,000 per annum, for twelve years,	252,000
General expenses of the University,	26,400
Total,	£397,600

In order to attract students to the new Colleges no less than 165 burses have been founded; without mentioning the prizes, and certificates of honors, given to each class.‡

In other Universities these favors are usually stoutly disputed by the students; but the warmest partisans of the Queen's Colleges have been forced to admit that such is not the case in them.§ According to the official Report of the Commis-

\* No canonical censure forbids laymen from taking chairs or following courses in these Colleges. But the censure of public opinion is powerful enough to shut the doors of these Colleges to zealous Catholics. Up to the present, but few have dared to brave this censure.

† Which was completely needless in the case of Protestants, since the Anglicans already have the University of Dublin, and the Presbyterians of Ulster are in connexion with the four great Presbyterian Universities of Glasgow, Edinburgh, Aberdeen, and St. Andrew's.

‡ For details see the pamphlet of J. P. Hennessy, Esq., M.P.; *The failure of the Queen's Colleges*; (p. 10-14.)

§ *Evidence given before the Royal Commission 1858*; p. 67, 20, 8, 133, 243.—Evidence of Dr. Henry, President of Belfast College; of Sir Robert Kane,

sion of 1858, the number of students was 1209.\* The number of burses was during the same period 1326. Consequently there were at least 117 burses not disposed of.

The same official documents attest that during the same period the number of students had decreased during ten years, (1849-1858):

SESSION.	BELFAST.				CORK.				GALWAY.				TOTAL.			
	Anglicans.	Presbyterians and Dissenters.	Catholics.	Total.	Anglicans.	Presbyterians and Dissenters.	Catholics.	Total.	Anglicans.	Presbyterians and Dissenters.	Catholics.	Total.	Anglicans.	Presbyterians and Dissenters.	Catholics.	Total.
1849-50	18	68	4	90	25	6	38	69	20	6	38	64	63	80	80	223
1850-51	10	46	3	59	21	7	42	70	8	7	8	23	39	60	53	152
1851-52	16	30	5	51	20	6	27	53	12	2	18	32	48	38	50	136
1852-53	10	23	3	36	20	8	16	44	8	2	12	22	38	33	31	102
1853-54	10	29	2	41	21	6	24	51	7	3	15	25	38	38	41	117
1854-55	4	38	2	44	20	3	20	43	9	5	12	26	33	46	34	113
1855-56	9	28	1	38	32	10	27	69	7	7	16	31	49	45	44	138
1856-57	11	31	3	45	16	5	18	39	13	5	17	35	40	41	38	119
1857-58	5	39	4	48	13	2	14	29	11	8	13	32	29	49	31	109
Total,	93	332	27	452	188	53	226	467	96	45	149	290	377	430	402	1209

If, on the contrary during the last three years, statistics testify to an increase in the number of students,† that arises

President of Cork College; of Mr. Berwick, President of Galway College; and of Professor Murphy.

The Dean of the faculty of Law in Cork College, Mr. Mills, asked the Royal Commission to suppress his faculty "*because he had found no students.*"

\* This figure is inexact; a number of students having been counted over again for every course they attended. One of the advocates of the system admitted this. According to him the Commissioners had made out too many students by 169.—(*Cork Southern Reporter*; April 15, 1859.) The real figure would then be 1040.

† According to this table taken from a Parliamentary document:—

SESSION.	BELFAST.				CORK.				GALWAY.			
	Angl.	Presb. & Diss.	Cath.	Total.	Angl.	Presb. & Diss.	Cath.	Total.	Angl.	Presb. & Diss.	Cath.	Total.
1858-59	10	52	3	65	21	5	32	58	11	3	21	35
1859-60	18	74	4	96	38	5	27	70	12	13	31	56
1860-61	16	94	2	112	44	7	32	83	17	5	31	53
TOTAL,	44	220	9	273	103	17	91	301	40	21	83	144
General TOTAL for the three years { Anglicans . . . . . 187 } 												

chiefly from the fact that Anglicans and Dissenters are not so strongly opposed as Catholics to the Queen's Colleges. The number of the last for the year 1860 is below that of the first year.

It was therefore very justly remarked in parliamentary speeches, that there was no proportion between the sacrifices made by the State for the Queen's Colleges, and the results obtained in twelve years.\*

Experience, then, seemed decisive of the question; and the condemnation pronounced by the public against this institution was calculated to carry more weight with government than the canonical censures of the Holy See and the Bishops. People were warranted in believing that such a sterile and costly experiment would at length be abandoned. Catholic astonishment and indignation were therefore great, when, scarcely installed in office, the new Secretary of State for Ireland, Sir Robert Peel, set everything at work not only to uphold but even to extend the new University.

A circular was sent round to the Protestant and Catholic gentry, asking them to support the Queen's Colleges, and proposing to found a fourth at Dublin. Sir Robert Peel appealed in favour of the project to the success which had crowned the first trial of these Colleges, and the credit enjoyed by them in the country. "*Our forefathers*"[!] said the Secretary of State in his famous circular—speaking of the *Irish* people!—"fought the battles of that *freedom* which we *enjoy*; on us devolves the duty of shrinking from no sacrifice to strengthen and confirm it." [!!!]

Ireland lies under an obligation to Sir Robert Peel for this imprudent step; since it provoked in every quarter, in England as well as in Ireland, among liberal Protestants as well as among Catholics, the stoutest opposition to the "Queen's University."

Firmly denounced by the vigilant Archbishop of Dublin,† rejected with contempt and indignation by the most influential Catholics to whom Sir Robert Peel had the boldness to send his circular,‡ blamed in the strongest terms by the whole liberal

\* Speech of Mr. Monsell, in the House; July 22nd 1859: "Since 1850 £250,000 had been spent upon the Queen's Colleges, and the number of persons who had *graduated* during that period was 252. They had therefore cost just £1,000 a-piece."—(See also Mr. Hennessy's Speech on the same occasion.)

† *Pastoral Letter*; in the *News* of November 9th 1861.

‡ The list was published on the 1st of Feb. 1862 by the *Catholic Telegraph*. Among other names we may mention those of twelve members of parliament, (Lord Castlerosse, Messrs. More O'Ferrall, Sir George Bowyer, John Brady, M'Evoy, the O'Conor Donn, Messrs. Esmonde, Lanigan, Hennessy, Dunn, and M'Cann); Lords Dunraven and Gormanstown; and a large number of Magistrates in all the counties of Ireland. At a meeting of the Young Mens' Society of Newcastle, Decr. 8th 1861, Mr. Monsell and Dr. Moriarty, Bishop of Kerry, pointed out with force the fatal tendencies of this system of education.

press,\* the project of the new foundation was simply dropped by the ministry itself. On February the 25th 1862 Sir Robert Peel was obliged to hear Lord Palmerston declare, in reply to a question from Mr. M'Evoy, that government had no intention of at present asking parliament for funds for the establishment of a Queen's College at Dublin.

The imputation of injustice, passion, and wilfulness, against the Catholics of Ireland made by Sir Robert Peel, when he saw the manner in which they received his plans, we may consent to overlook; since he did good service by establishing clearly that the English government cannot make up its mind to treat Ireland like Great Britain. In fact it favours in one part of the kingdom what it condemns in the other. The youth of England cannot receive its education but under the religious control of the several churches, but in Ireland the clergy has nothing to do with the education of the Catholics. On one side of the channel a Bishop is wanting to his vows at ordination if he does not protest against an exclusively secular education; on the other, if a Bishop denounce such a system he is a fanatic reviving "the monkish superstitions of the middle ages." As if the English and Irish did not participate in the same human nature, had not the same original weakness, and did not feel the same need! As if, above all, religion held a lower place in the instincts of the Irish people,—of that people which has suffered so much for its faith, and which even in the Famine years did not prefer even to die rather than sell its conscience for a piece of bread.†

Had government in founding the Queen's Colleges been sincerely desirous to facilitate the entrance of Catholics on public careers, what should it have done? Liberal‡ Protestants gave it a hint. It ought to have established independently of the Anglican University of Dublin a Presbyterian and a

\* For the sake of brevity we shall confine ourselves to quoting the English Protestant journals. The *London Press* called the project absurd: "That a minister of the crown should now, as a boon to that country propose to found a fourth provincial college in Dublin is a simple absurdity." The *Morning Star* said that the Queen's Colleges were "a thorough failure in everything, save in providing snug berths for the race of office-seekers who have always infested the Castle of Dublin;" and that "it had been calculated that the diploma of a single engineer in these colleges costs the public £4,000;" that "the truth is that the Queen's Colleges have done nothing except subsidise a few students, and feed a comparatively enormous number of presidents, professors, and officials, at an exceedingly large outlay to the public;" and that "if Dr. Cullen had not written his Pastoral, he would have incurred the reproach of being a sleepy watchman."

† Mr. Monsell; *Lecture* delivered to the Young Mens' Society of Newcastle, 8th Dec. 1861.

‡ Lord John Manners; *Hansard's Parliamentary Debates*, vol. lxxxi.; p. 1141.



Catholic one; so as to satisfy equally the three churches actually existing in Ireland, in what proportions is not the present question. The geographical position of the Queen's Colleges made the execution of this plan very easy. Trinity College already offering full and varied resources for superior education to Irish Anglicans, the Belfast College might have been given to the Presbyterians, and Cork and Galway, in Munster and Connacht respectively, might have formed an exclusively Catholic University.

Justice required this at least; but justice is but very tardily done in the case of Ireland, and the voices of her defenders will yet for a long time be reduced to sterile protests.

Thwarted in their most lawful hopes by the suspicious character of the Queen's Colleges, and forced to rely on their own resources alone for the organization of a superior education without danger to their faith, the Catholics did not, however, lose heart. Out of their zeal and liberality, out of the generosity of pastors and flocks, has sprung the Catholic University.

#### THE CATHOLIC UNIVERSITY.

The Queen's Colleges had been established five years. Irish Catholics warned by their Bishops and by the great voice from Rome knew how to look upon this institution, and upon the perils to which it exposed youth. It was evident that the English government would do nothing more for the superior education of Catholics. There was no other way left open for them to the liberal professions than the courses of Trinity College, exclusively Protestant, or an education called "godless" by Protestants themselves, in the Queen's Colleges.

The Bishops of Ireland accordingly, who for ages have never called upon the faithful in vain when the faith or religious future of Ireland were in question, founded in 1854 a free Catholic University, destined like the Church to depend for support upon the charity of the faithful, and to be completely independent of the State.

The *Catholic University* of Dublin comprises five faculties: Theology, Law, Medicine, Arts, and Sciences. It is governed by a committee of Archbishops and Bishops, who meet annually to deliberate upon the general interests of the University, and to take in common the measures required by circumstances.\*

\* The University Board consists of the four Archbishops, and two other prelates from each province.—(Battersby's *Cath. Direct.* 1862, p. 309.) The Chancellor of the University is Dr. Cullen Archbishop of Dublin; the Vice-Chancellor, Dr. MacHale, Archbishop of Tuam. The present rector is Monsignore Woodlock, late President of All Hallows College. He succeeded in 1861 Dr. Newman, the Superior of the Birmingham Oratory.

The immediate government and ordinary administration are carried on by the University Senate, composed of the Rector, Vice-Rector, Professors, and graduated Fellows. A yearly collection in all the dioceses of Ireland meets the expenses of this foundation, and affords the Professors of the new University an honorable competency.

Up to the present time the devotedness of Catholics, which has quailed before no obstacles, has never for an instant abandoned this important undertaking. In 1859 they had already contributed the enormous sum of £80,000; and each year the appeal of their pastors in favour of an institution blessed by Rome and the episcopacy reaches even to the remotest and poorest mountain districts, and calls forth abundant aid. The smallest tenants cheerfully offer even their few shillings, to co-operate in a work at once so Catholic and so National.

It must however be admitted that, in consequence of the disfavour with which government regards it, the Catholic University is disadvantageously circumstanced.

Without a Charter of Incorporation, and the right of conferring degrees, it is in the eyes of government nothing more than a private association, and has none of the privileges enjoyed by the Universities legally recognized by the State.

In Canada, the Quebec University, and in Australia that of Sydney, both recognized and endowed by the State, assure to the Catholics of those countries the most ample resources for superior education, with entire liberty of conscience. In England, notwithstanding the violent opposition of Oxford and Cambridge, the free University of London received in 1836, after six years of struggle, a Charter of Incorporation, and the right of conferring degrees.\* Nothing similar has yet been done for the Dublin Catholic University.

In vain have the Bishops declared that they want neither money, nor a restriction of the privileges of other Universities, but simply a Charter of Incorporation,—a favour already enjoyed by the Catholics of England and the Colonies. Up to the present government has turned a deaf ear to their representations.

In 1859, at a moment when a ministerial crisis threatened

\* The motion, put to Parliament by Mr. William Tooke, and opposed by the ministry, was voted by a majority of 246 to 136.—(House of Commons, March 26th, 1835.) The year following, after a few slight changes in the Rules of the University, made by Mr. Spring Rice (now Lord Monteagle), the Charter was given; Nov. 1836. The subscriptions in England for the foundation of this University, to which many liberal Protestants generously lent a hand, amounted in the first year to £163,350. Several Catholic colleges of England and Ireland are affiliated to this University and have burses in it.

the cabinet, a deputation\* waited upon Mr. Disraeli, the Chancellor of the Exchequer, to address him anew upon the subject. Mr. Maguire reminded him of the heroic efforts made by Irish Catholics for the foundation of this University, and the weighty reasons which induced them to shun Trinity College, and the Queen's Colleges; he read letters from several Bishops, and was seconded by Messrs. Deasy and Bowyer.

Mr. Disraeli's answer was not indeed a positive answer, but public opinion considered it equivalent to one; as it was well known how much at that moment the cabinet needed the support of the Irish members. And besides, a vote of Parliament was not needed to satisfy the demands of Irish Catholics; the ministry being itself empowered to grant the charter in question.

The crisis passed, however, and the existence of Lord Derby's cabinet was prolonged for a few months longer. Since Mr. Disraeli's answer to the deputation the question of the University Charter has not been mooted, and the Catholics of Ireland have been for eight years vainly expecting to be treated like those of London, Quebec, and Sydney.

In the face of all these facts, is it rashness, is it injustice to accuse the English government of allowing itself to be too often influenced by national and religious prejudices in its treatment of Ireland? How comes it that Irish Catholics have not been able to wring from men to suspect whom of not being the real friends of liberty would be to do them a mortal injury, that full and entire justice which can alone allay discontent and take away all pretext for disaffection? The Emancipation Act was passed thirty-three years ago. Since that time much has undoubtedly been done for Catholics. But have all their grievances been redressed? Or rather has not a too evidently partial administration added new ones to the old?

The most praiseworthy efforts have, during that period, been made in favour of public education; and this is something. Why not have crowned these efforts by loyalty above suspicion? The "National Schools" afford primary education to more than half a million of Catholics. Why not have adhered to the original absolute impartiality of the system? Why by imprudent or aggressive alterations provoke and justify the protests of the Irish Bishops and members, and the dissatisfaction of four millions of Catholics? Ireland imposes upon herself in the midst of her privations the most generous sacri-

\* Lord Castlerosse, Messrs. Deasy, Maguire, Monsell, Bowyer, the O'Donoghue, &c.

fices to secure to youth the double boon of intermediate and superior education. She builds Colleges, and founds and munificently endows a University; she asks for no compensation for her pecuniary sacrifices; she simply asks for this University that which the Catholics of Canada and Australia have already obtained. Is this asking too much? Is it any reproach to her not to have been content with the concessions made during the last thirty years, and is it to be said that she is unfortunate by every day coming forward with fresh demands?

We may answer with a publicist, who is no enemy of the English government, and whose opinion may in this matter be taken upon trust, "that where justice is concerned, to do much is not sufficient, and that so long as full justice has not been done, justice has not been done at all."\*

This truth could have no more direct application than in the weighty question by which we shall at last close this enquiry. . . .

\* M. Jules de Lasteyrie; *L'Irlande depuis la dernière famine*; (*Revue des Deux Mondes*, Aug. 1st 1853, p. 521.)

## BOOK THE EIGHTH.

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# THE RELIGIOUS QUESTION.

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### CHAPTER I.

#### \*\*\* THE CATHOLIC CHURCH OF IRELAND BEFORE THE REFORMATION.

THE history of the Catholic Church in Ireland before the Reformation would require a work to itself. We can only attempt here a broad sketch of the evangelization of that predestined land, and of the wonders wrought there by the Gospel up to the period of persecution and the religious wars.

The introduction of Christianity into Ireland took place towards the beginning of the fifth century. Palladius, sent to that island as Bishop by Pope Celestine (422-432), found some religious communities already existing on his arrival. The real apostle of Ireland was however St. Patrick, who evangelized that still barbarous country during more than forty years, converted to the faith the greater portion of its inhabitants, and by the erection of the Bishopric of Armagh, destined to become the Primatial See, constituted in form the hierarchy of the Irish Church.

Whilst St. Patrick was preaching, founding churches, and preparing generations of apostles and missionaries for the continuation of his work, St. Brigid\* opened cloisters to souls eager for prayer, penance, and perfection; and of these large numbers were to be found among a race full of energy and of purity of soul.

We cannot be surprised that, by a faithful correspondence with the grace of God, from the outset Ireland deserved the name of the *Island of Saints*, a name which has clung to her

\* "Saint Bride (or Breed) of Kildare." Some biographers say that she was baptised by St. Patrick. It is certain that it was about the year 480 that she founded the great Abbey of Kildare.

ever since. The learned Ussher counts no less than 750 saints, in the Church founded by St. Patrick, between the fifth and seventh centuries.\*

The Danish invasions of the eighth century were very prejudicial to the Irish church. Whilst the schools still continued to keep and to transmit the double deposit of sacred and profane letters, whilst the fire of divine love still continued to burn in the convents in which St. Brigid had enkindled it, the necessities of war turned the successors of St. Patrick and the first Bishops into captains, who bore the lance and wore the helmet. In the tenth century even the Primatial See of Armagh fell into the hands of a powerful family whose members ruled the province in the double capacity of Bishops† and temporal Princes.

The abuses which had arisen in regard to discipline and morals from this invasion of the church by the outer world found in St. Malachy an energetic reformer. As one of the successors of St. Patrick in the Primatial See of Armagh,—which had been too long dishonored by simony, nepotism, and corruption,—he became as it were the restorer of the Irish Church, and its apostle in the twelfth century.

Besides the rewards which awaited in heaven his virtues, and in particular his devotedness to the holy cause of ecclesiastical discipline, God did not allow the remembrance of these great things to perish from amongst men; and adding a new bond to those which already united France to Ireland he gave St. Malachy a friend and a panegyrist in our own illustrious St. Bernard.

However vigorously combatted and well repaired might have been these disorders, still they were attended with fatal consequences to Ireland. The pretext alleged by Henry the Second of England for his expedition, and the specious means employed by him to mislead the Holy See and hide his ambition under the mask of zeal, are unknown to no one.‡

A Saint had founded the Irish Church; another Saint had brought back the purity and fervor of primitive times; Providence also willed that a Saint should occupy the see of

\* Ussher; *Ecclesiastical Antiquities*; vol. i. 913. He divides these saints between three periods. The first, from 432 to 542, comprises 350 Bishops and founders of churches, "for all the Irish bishops were saints, and filled with the Holy Ghost;" the second, from 540 to 598, comprises nearly 300 Saints, mostly priests, abbots and Bishops; the third, from 598 to 665, counts about a hundred saints.

† [These intruders were not however in orders, though they assumed (as on the continent) the title of Bishops of the sees of which they had usurped the revenues.]

‡ See *ante*; Historical Introduction,—pp. iii. iv.

Dublin at the time of the English invasion. It was indeed a moment in which Ireland was more than ever in need of courage, devotedness, and perseverance. It was her glory to imbibe those sentiments at the double source of the most chivalrous patriotism and the liveliest faith. St. Laurence O'Toole,\* elected Archbishop of Dublin in 1152, devoted himself to boundless charity amidst the trials which bore down his country. From the twelfth century, the two terrible scourges of War and Famine were destined to occupy a large space in the History of Ireland, and to supply abundant food for the zeal of the successors of St. Patrick.† St. Laurence died in France, nine years after the arrival of the first English soldiers in his archiepiscopal town (Nov. 14, 1181), and was buried in Normandy, in the monastery of the Canons Regular of the city of Eu.

During the following period, notwithstanding the continual agitation in which the war of independence kept Ireland, pious foundations multiplied; and the thirteenth century, during which Catholic life was at its apogee in France, Germany, Italy, and England, saw Ireland preserving and increasing her reputation for sanctity.‡

Thus were being prepared, in prayer, in fidelity to the Commandments of God and the Church, in inviolable attachment to the traditions of St. Patrick, St. Columbanus, St. Columbkille, St. Malachy, and St. Laurence O'Toole, those strong and heroic generations of Bishops, priests, monks, and nuns, of every rank and every age, on whom the Sixteenth Century was to bring the plague of so violent a persecution, and to offer but the alternative between apostacy and martyrdom.

## CHAPTER II.

### ESTABLISHMENT OF THE REFORMATION.

MORE than two centuries and a half had elapsed since the barons of Henry II. had landed in Ireland and begun the slow

\* [*Lorcán O Tuathail*, called in English Laurence.]

† Towards 1178 Ireland was visited by a great famine during three entire years. The biographers of St. Laurence O'Toole state that he fed daily more than five hundred poor; and that mothers who had nothing wherewith to feed their children used to place them on the high road by which the Archbishop was to pass, in order that he might take compassion on them. (Rohrbacher; *Hist. de l'Eglise Catholique*, xvi. 367.)

‡ Haverty's *Hist. of Ireland*: (See list of monasteries founded at this time, at pp. 264 and 274.)

and laborious work of conquest, when the religious revolution of which Huss and Wickliffe had given a foretaste, and which Luther and Calvin were to realize, burst over Europe.

The part taken by Henry VIII. in this spiritual rebellion, which broke the old unity of Christian Europe, and became for modern society the principle of fatal divisions and struggles, is well known. Now, whilst Germany shaken by the powerful voice of Luther was breaking away from the Church of Rome; whilst Geneva was becoming, under the merciless government of Calvin the spiritual capital of the "Reformation"; whilst the States of the North, carried away by the example and crouching under the threats of Gustavus Vasa, suffered the new Gospel to be thrust upon them; whilst France, the eldest daughter of the Church, was herself deeply marked by heresy, and about to become the theatre of an interminable religious war; whilst England, unmindful of what she owed to the apostolic zeal of St. Gregory the Great and of St. Augustin of Canterbury, was receiving with servile docility the monstrous and illogical doctrine of a State Church, in which a Henry VIII. and an Elizabeth were to be invested with a spiritual omnipotence no less dogmatical and a thousand-fold more absolute than that of the Roman Pontiffs;—the little nation which had struggled for its independence with such constant energy was girding itself up to present another admirable spectacle to the world.

We must remember the ever glorious trait of that Philip Howard, Earl of Arundel, who, cast in the tower of London by order of Elizabeth for having openly professed the Catholic faith, was for eleven years put to every torture, mental and bodily, which the hangman could devise, without ever doing a single act, or letting fall a single word, unworthy of a martyr. The visitor may still read on the walls of his dungeon that inscription, the sublime conciseness of which paints to the life that great heart: "*Sicut peccati causa vinciri opprobrium est, ita contra, pro Christo custodiæ vincula sustinere, maxima gloria est.*—Arundel, May 28th 1587."\*

These words, painfully cut into the damp walls of a prison, are a summary of the history of Catholic Ireland since conquered by the English Sovereigns she was summoned to part with her independence and her creed, and to renounce in

\* "As it is a disgrace to be in chains for crime, so it is the greatest glory to bear a load of chains for Christ's sake."—(*Rio ; Les Quatre Martyrs*, p. 409.) This inscription itself is but a reminiscence of those words of the apostle St. Peter: "Nemo autem vestrum patiat ut homicida, aut fur, aut maledicus, aut alienarum appetitor, si autem ut Christianus, non erubescat, glorificet autem Deum in isto nomine."—(1 Pet. iv., 15, 16.)



virtue of the right of the stronger the most precious of all liberties, liberty of conscience. She too deemed it "a great glory" to suffer persecution, and to be "loaded with chains for Christ"; and whilst on all sides truth was being sacrificed to worldly interest and the basest of passions, there was still to be found for the honor of human dignity a people, of 800,000 men, determined to suffer everything rather than do violence to its conscience;—a people which even to this day, after three centuries of persecution, seems to repeat to the modern world, unused to such grandeur, the simple and heroic words of our first martyrs: "I am the soldier of Christ, O Proconsul; I am a child of the true light. In vain wilt thou tear in pieces my body; never shalt thou be master of my soul!"\*

The spirit of a whole people remaining unconquerable by armed heresy,—such has ever been the position of Catholic Ireland towards Protestant England. Such fidelity in such extremity of suffering has been a consolation to the whole Church; and it must ever remain before God and history the most solid glory of the Irish people.

When apologists endeavour to throw into relief the supernatural character of Christianity, they show in its history the immense contrast between the weakness of the means employed for its propagation, and the greatness of the results obtained. If, in its scandal and its folly, the cross of Golgotha, victorious over the resistance of the synagogue, over the traditions hoary with a thousand years of an immense empire, and over the more inveterate and stubborn domination of human passions, is in itself the most irrefragable evidence of an authority not of man,—what arguments are not furnished against the work of the "Reformation" of the sixteenth century, by the purely human character of its establishment and its propagation! And in that medley of passions which it flattered, of perverse instincts which it turned to account, of fraud and violence which it by turns employed, what unequivocal signs are there not of an earthly origin, in which one looks in vain for the presence or the will of God, the character of which will in the increasing light of historical science no longer impose upon upright souls!

Apply these rules to the history of the "Reformation" in Ireland, and say if such a design and such execution are of God, or rather if they were not inspired by that spirit of darkness of whom it is written that "he was a murderer from the beginning."† "Seldom, indeed," says a Protestant commen-

\* Acts of the martyrdom of St. Leontius, in the Bollandists.

† "Ille homicida erat ab initio, et in veritate non stetit."—(Joann. viii. 44.)

tator, Mr. Edward Miall, M.P., "has a bloodier drama than this been played out upon God's earth."\* We shall confine ourselves to summing up the chief vicissitudes of this long martyrdom.

George Brown, Archbishop of Dublin, and like Luther an Augustinian monk, was the person commissioned by Henry VIII. to burst the bonds which united Ireland to the Holy See. A parliament was convoked in 1536 in order to establish the king's spiritual supremacy. Care was taken to deprive by special act the representatives of the clergy of the right of voting; only the illusory privilege of a "consultative voice" was left to them. And it was under such conditions of liberty and sincerity that this assembly declared the abolition of the spiritual authority of the Roman Pontiff, and proclaimed Henry head of the Irish Church.

Under Edward VI. the "Reformation" attacked a dogma which Henry VIII. had respected; the *heresy* of Calvin was officially introduced into the *schismatical* Church of England, and became necessary to make the liturgy conformable to the new creed. According to the principles of the reformers the services were to be gone through in the vernacular tongue. This had been done in Germany, France, England, and the Norman isles. The English government however had long been striving to do away with the use of the Irish language, regarded, as it rightly was, as one of the most powerful bonds which attached the vanquished nation to the memory of its nationality; and besides the number of apostate priests speaking Gaelic was too small to render the plan of preaching the new religion in that language a practicable one.† It was therefore necessary to overrule one of the great principles of the reformation, and to thrust upon the Irish a liturgy the language of which was unintelligible to the greater number. Brown and four other bishops alone obeyed; all their colleagues gathered round Dowdall, Archbishop of Armagh, and resisted these religious innovations.‡

\* Mr. Edward Miall, M.P. for Rochdale; (Speech in the House of Commons, May 27th, 1856).—Mr. Miall is a Protestant non-conformist. We must thank him here for the prompt kindness with which he sent us his speech, which we had been unable to find in the papers of that date.

† Thus in 1576, nearly forty years after the introduction of the "Reformation" into Ireland, Sir Henry Sydney, Lord Deputy, was obliged to tell Elizabeth that there was no such abandoned church on earth as the Church of Ireland. He begged her to look out in the English and Scotch Universities for men acquainted with the Irish language and devoted to the new religion, who might go into those districts where the inhabitants spoke and understood nothing but Irish. Was it not sad to think, he added, that in the single diocese of Meath there were five hundred benefices in the queen's gift without resident ecclesiastics!—(Leland, ii. 320.)

‡ Lingard.

The restoration of Catholic worship by Mary was ephemeral, and unfortunately accompanied in England by reprisals which have stained the memory of that princess. Ireland stood aloof from the regretful excesses of this reaction, and displayed in these circumstances a truly evangelical generosity. Not only were the lives and property of the Irish Protestants respected,\* but when the English Protestants had to fly from the proscriptions of their own Parliament, they sought and found a refuge† in Catholic Ireland. History cannot forget this magnanimous hospitality. The Dublin merchants rented and furnished 74 houses in order to shelter the fugitive Protestants of Bristol; and they not only housed them, but provided for all their wants, and, after Mary's death, had them safely conveyed back to England.‡

Scarcely had Elizabeth mounted the throne when she threw off the mask of hypocrisy which she had deemed it prudent to wear during Mary's reign,—got parliament to abrogate all laws in favour of Catholics,—and restored and completed the work of her father Henry VIII. and of Edward VI. her brother. The regular establishment of the State Church in England and Ireland such as it exists at the present day—with its official character, its powerful hierarchy, the greatness of its influence, and the immensity of its riches,—dates from this latter half of the sixteenth century.

Determined to destroy root and branch that odious Catholicism against which Edward VI. had only taken half measures, Elizabeth shrank from nothing, allowed herself to be checked by no scruple, and never knew a single moment of weakness or vacillation.

She laid for this edifice of the Established Church which she considered the chief glory of her reign such deep and solid foundations, cemented them by the blood of such crowds of victims, and at the same time enlisted on its side so many passions and so much cupidity,—that despite the incoherence of its doctrines, the sterility of its apostolate, and the reiterated protests of conscience against the unbearable scandal of its political slavery, this Anglican Church still shelters Christian souls and hearts whose sincerity must be regarded as above suspicion.

\* See Parnell's *Historical Apology*, (35-37), a Protestant authority.

† Id. ib.

‡ These facts are also vouched for by the Protestant historians, Leland (vol. iii. ch. 8,) and Taylor, (*History of the Civil Wars in Ireland*; vol. i. p. 169.) It is but doing justice, says Taylor, to the members of a much calumniated party to say that on three occasions they had the upper hand, and that they never either injured or killed any one, for professing a religion different from their own. By suffering persecution they learned to be merciful.

Is it possible to remain longer under the influence of any illusion when we remember the series of sanguinary and despotic edicts dictated by Elizabeth to the docile ministers of her tyranny? We shall not speak of the persecutions of which England was the theatre, and which made that unhappy country a land of martyrs during the forty-seven years of that long reign; their history is but too well known, and only bears but very indirectly upon our subject. These mournful memories, put side by side with the measures dictated by the same sectarian fanaticism of Gustavus Vasa, and with the ferocious character of the government of Calvin, present a fair idea of the pretended service done to liberty of conscience by the "Reformation." England, crushed under their iron yoke, drenched with blood, and betrayed by the chiefs of the nation whose duty it was to show the people how to withstand these attempts, succumbed. Except a small number of individuals who escaped the vengeance of "good Queen Bess" by exile, or in unknown retreats, the whole nation became Protestant. Catholicity had to wait two hundred and fifty years before it again found in the "classic land of political liberty" even so much as the right of existence, and of being to its partisans a title to anything else but persecution and banishment.

In Ireland the persecution was no less violent, but it met with independent souls and iron wills. It made few apostates, many martyrs, and only rendered dearer to the mass of the people a cause for which they had the honour to suffer so much. "We have been robbed," said an Irish bishop, a few years ago, "of everything but our faith."

The *Hibernia Dominicana* of Bourke contains a list of the Irish put to death during the reign of Elizabeth, as martyrs for the faith, after mock trials. If their tortures be compared in detail with those inflicted by the pro-consuls upon the Christians of the three first centuries, it will be seen that the *Acta Sincera Martyrum* of the reign of Diocletian, and the satanic fury of Galerius, are the only historical monuments which will sustain a comparison with the doings of Queen Elizabeth in Catholic Ireland.

It was an ordinary thing,—says Milner,†—to beat the tonsured heads of the Irish priests against a stone till their brains were spattered about;‡ needles were driven under the nails of

\* The popular name for Elizabeth, in England, at the present day.

† *Letters to a Prebendary*; (see Letter V.)

‡ A few extracts from the Roman Martyrology will show whether we have exaggerated in comparing the conduct of Elizabeth to that of the Roman emperors who persecuted the Christians:

Martyrdom of St. Vincent and St. Sabina, in Spain: *Cupita eorum lapidibus superposita usque ad excussionem cerebri validis vectibus sunt contusa.*—(*Martyr. Rom.* 27 Octr.)

others, or their nails were torn off;\* many were stretched on the rack, or crushed under enormous weights;† others were disembowelled, and obliged to take their own entrails in their hands‡; and the flesh of others, again, was torn with instruments armed with iron spikes.§

Leland, Spenser, Hollinshead, Carew (in his *Hibernia Pacata*), and Sir John Davies—all Protestant writers,—are the impartial and disinterested compilers of this new martyrology. God has permitted that Elizabeth should have no more terrible accusers than the historians of her own party; and the simple truth is sufficient to blight eternally her sanguinary memory.

One single extract from Sir John Davies shall sum up this monotonous series of massacres, tortures, and spoliations.¶ He tells us that: the Queen's army, under Lord Mountjoy, had ruined and completely subdued all the lords and chiefs of the Irish; in consequence of which *the multitude, pounded so to speak, in a mortar, at once by the sword, by famine, and by the plague*, submitted to the English government, and received its laws and its magistrates.

Such was, in Ireland, the bloody genesis of the Anglican Church. Forced upon a people to whom it was odious, it took root only by the help of the sword, famine, and pestilence. The apostle ravished in ecstasy in the island of Patmos had seen the Church of Jesus Christ under the form of a bright and peaceful city, the dwelling place of God and man, from which mourning grief and tears were to be banished. The Church of Henry VIII., Edward VI., and Elizabeth, was cradled in adultery, was established by murder, and ground the people as in a mortar to reduce them to obedience; and in the silence of the ruins which it has heaped up, the wail of the oppressed may still be heard rising to heaven: "I saw under the altar the souls of them that were slain for the word of God, and for the

\* Martyrdom of the deacon Benjamin under Isdegerd; (*Martyr. Rom.* March 31.): *Arundinibus acutis confusus.*

† Martyrdom of St. Castulus, at Rome; (March 26.): *Missus est in foveam, dimissa super eum massa arenaria.*

‡ Martyrdom of St. Theodosia of Tyre, under Galerius Maximus; (April 2nd): *Lateribus et mammis usque ad interiora dilaniatis.* Of St. Theodorus, (Nov. 9th): *Postquam equuleo suspensus et ungulis corrasus est, ita ut ejus interiora nuda apparerent.*

§ Martyrdom of SS. Januarius and Pelagia, at Nicopolis in Armenia, (July 11th): *Equuleo, ungulis, et testarum fragmentis, diebus quatuor cruciati.*

The reader who has been at Rome will involuntarily remember on reading these details the frescoes of the Pomerancio at S. Stephano Rotundo. They represent the sufferings of our martyrs with an exactness of detail, and a truth of expression, which make one shudder with horror.

¶ Quoted by O'Connell; *Ireland and the Irish*, (page 129);—and by Mr. Miall in his speech.—"The agencies chiefly relied upon in solving this problem were arbitrary laws, wholesale confiscation, cold steel, and gunpowder."—(p. 9.)

testimony which they held. And they cried with a loud voice, saying: How long, O Lord, (holy and true), dost thou not judge and revenge our blood on them that dwell on the earth.”\*

When Elizabeth died, in 1603, nearly seventy years had elapsed since the first attempt to tear Ireland away from the Catholic faith. During this lengthy period much blood had been shed, and a large portion of the land had been handed over to the Established Church for its support. During subsequent reigns its riches increased, whilst its spiritual authority gained no ground. The Irish may still be massacred and transported, but they will never be forced into the church of their persecutors and their executioners. “Protestantism had got possession of the wealth of the country,” said a Protestant speaker,† “while Roman Catholicism still retained its hold on the hearts of the people.”

The accession of a son of Mary Stuart to the throne of the Tudors gave great hopes to the Catholics. One word from James speedily annihilated them. So long as I have a hundred men with me,—replied this prince to the Irish deputies,—I will combat to the death this idolatrous religion.‡ Acts quickly followed these threats. New laws were passed against Catholic priests (1605); assistance at the Anglican worship was declared obligatory; and Cnohor O’Duana, Bishop of Down and Connor, and several priests, were put to death (1612).§ Such were the unequivocal pledges given by James to Protestant passions.

Indeed, it is from the dignitaries of the Established Church that history has to require an account of all the blood shed and of the whole of this system of persecution. Of this the beginning of the reign of Charles I. affords a well grounded proof but too little known. A report having got abroad that the offers made by Irish Catholics to help the king with men and money in the struggle in which he was engaged would induce that prince to abate the rigor with which they were treated, the Anglican Bishops of Ireland, with Ussher, Archbishop of Armagh at their head, met in the month of November, 1626, and made a declaration:—That the religion of the papists being superstitious and idolatrous, their faith and doc-

\* “Vidi subtus altare animas interfectorum propter verbum Dei, et propter testimonium quod habebant. Et clamabant voce magna, dicentes: Usquequo, Domine, (sanctus et verus), non judicas et non vindicas sanguinem nostrum de iis qui habitant in terra?”—(*Apoc.* vi. 9, 10.)

† Mr. Edward Miall; (p. 10).

‡ Lingard, vol. iv. 569.

§ O’Connell, p. 215. “A priesthood hunted down like noxious vermin.”—(Mr. Edward Miall; p. 9.)

trine erroneous and heretical, and their church apostate, it would be an enormous sin to accord them tolerance, or to consent that they should freely exercise their religion and profess their faith and doctrine; for: 1°. it would render us accomplices in their superstitions and idolatries, and in all the abominations of popery, as well as in the seduction and perdition of the people drowning in the deluge of Catholic apostacy; and 2°. to grant them toleration in consideration of the money they offer would be to put up religion to sale, and with it the souls of that people which Christ has purchased with his blood. And as it would be a great sin, (added they), so also it would be a thing of the most dangerous consequences, the examination of which we should commit to wise and judicious men, supplicating the God of truth to make those who are invested with authority zealous for the glory of God and the advancement of the true religion, resolute and courageous against all popery, all superstition, and all idolatry.\*

Any mistake is therefore impossible; it was the official church which, under cover of respectful complaint, traced out for the government the programme of its conduct towards the Catholics of Ireland; and the latter had no need to strain their memory in order to know what "*zeal for the glory of God*,"—"*the advancement of the true religion*,"—and "*the necessity of destroying idolatry*,"—would prompt the king's "piety" to undertake.

A court instituted by Lord Strafford† was commissioned to push forward the *true* religion, by multiplying against the false one decrees of proscription. This court, called the High Commission, sat at Dublin. The Protestant historian Leland calls its powers *frightful*.‡ Its sentences were executed with the last severity. The English parliament itself was moved at the treatment to which Ireland was subjected, probably less from sympathy for the proscribed than from jealousy of their persecutor; for the execution of Strafford bettered in nothing the condition of Irish Catholics, and they soon flew to arms to the cry a thousand times repeated of *Erin go Bragh!*§

\* Lingard, iv. 727.

† Of whom Sir John Davies, Attorney-General of James I. said, that he employed in the service of the devil the high capacity which God had given him.—(Moore; *Mem. of Capt. Rock*; vol. i. ch. 8.)

‡ Leland; bk. v. ch. 1.

§ It has often been said and often repeated, on the faith of contemporary assertions, that in the insurrection of 1641 the Catholics made a general massacre of the Irish Protestants. An English historian so far exaggerates as to put the number of slain in this pretended massacre at 200,000. The despatches of the Lords Justices prove that there was *no* general massacre; but a series of mere partial combats, in which many English and Irish perished. Let us add that an inquiry made by order of these Lords Justices, by Commissioners

Who can be surprised if after better than a century of oppression and bloody persecution the tortured people sprang to its feet? Could it hope to propitiate its conquerors by patience and long-suffering? But on the 20th of September 1643 the House of Commons solemnly declared: That a suspension of arms with the Irish rebels would be destructive of the Protestant religion; that to the great affliction of all true Protestant hearts, and to the injury of the crown, the vengeance of a jealous God had already been provoked by culpable leniency; and, in fine, that the two kingdoms had already suffered too much for having tolerated an anti-Christian idolatry.\*

Thus time rolled by, but prejudices and blind hatred remained. The idea of extirpating Catholicism by extirpating the Catholics did not startle the enemies of Ireland. The lawfulness of the end counterbalanced in their eyes the odiousness of the means; or, better, the means ceased to be odious when "idolatry" had to be extirpated, and "the glory of a jealous God" vindicated! Hence the expeditions of Cromwell, and the astounding coolness with which the parliamentary armies executed the orders of their chief. The gist of the whole affair, (said Lord Chief Baron Wild, in the Council Chamber, 12th April 1649), is, that Popery is not to be tolerated;—a maxim quite in accord with that of James I: Plant Ireland with Puritans, and uproot the Papists, and then you will be at peace.†

The victory of the parliamentary party substituted for a moment, in 1645, the Presbyterian for the Episcopalian Church of Elizabeth; but it in nowise modified the treatment of Catholics.

So, on the 6th of January 1654, the Civil Commissioners of the Commonwealth ordered by proclamation all Catholic ecclesiastics out of Ireland under pain of High Treason, and forbade any one to shelter these ecclesiastics under pain of death.‡ Whoever knew the hiding place of a priest, and did not inform, was liable to be whipped in public and to have his ears cut off. A large fine was levied upon such as did not attend the service of the Established Church on Sundays. The magistrates were authorized to kidnap Catholic children, and send them to

appointed for the purpose, reveals with sufficient precision the number of English and Irish who perished. The highest statement puts the number at 8,000; the lowest at 4,028. This is rather below Mr. May's 200,000 victims! (Lingard, vol. v. notes, pp. 627—630.) It would moreover have been a matter of some difficulty to kill 200,000 Protestants in a country where the whole of the Protestants were far below that number!

\* Parliamentary Journals, iii. 298, quoted by O'Connell; (p. 291).

† O'Connell; 321.

‡ Lingard; vol. v. p. 306.



England for their education. They were obliged to administer the oath of abjuration to every person of the age of twenty-one years; and refusal to take it was punished with imprisonment at the pleasure of the authorities, and the confiscation of all property real and personal.\* Another proclamation commanded all nuns to marry or to leave Ireland; and they were accordingly successively transported to Belgium, France, and Spain, where they were received into the convents of their respective orders.

These decrees were executed with terrible rigour. Those priests who did not go into exile were forced to hide themselves in the bogs or in the mountain caverns; and to steal forth only in the middle of the night, and then with the utmost caution, to carry the consolations of religion to the sick, and to administer the sacraments to the faithful.

The fall of the Commonwealth and the restoration of the Stuarts produced no other change in the religious condition of Ireland than the restoration of the Anglican Episcopal Church abolished since 1645. The surviving bishops retook possession of their respective sees, and new prelates were appointed to the vacant ones. In a short time the hierarchy of the official church was re-established, and entered once more upon the enjoyment of all its prerogatives.

Charles II. was either unable or unwilling to do anything for Catholic Ireland. He was a sorry prince, without dignity and without courage; sympathizing in secret with the cause of those whom he allowed to be persecuted, he was one of those men born to dishonor a dynasty and to hurry it to destruction.†

The Catholic reaction of the reign of James II. was of short duration, and conducted with too much precipitation and imprudence not to damage the cause it was intended to serve.

The only reparation made to Ireland during this period was a sum of £2,190 taken out of the revenues of two Protestant bishoprics, and divided among the twelve Catholic prelates.‡ This, we must allow, would have been a cheap way of buying off the obligation of restitution, and a very modest rate paid for forgiveness of past offences,

\* Porter; *Compend. Annal. Eccles.* p. 292.

† It was under Charles II. that Oliver Plunket, Archbishop of Armagh and Primate of Ireland, suffered martyrdom in London on the 11th of July, 1681. His life has just been written by Dr. Moran, Vice-Rector of the Irish College at Rome: (*Memoirs of the Most Rev. Oliver Plunket*; Dublin 1861.) The head of the martyr is preserved in a rich reliquary in the convent of the Dominican Sisters at Drogheda.

‡ *Clarendon Correspondence*; vol. i. p. 576; vol. ii. p. 47; (quoted by Lingard, vi. 372.)

The reign of Mary had called forth the fury of Elizabeth. The sympathies of James for Catholicism exasperated the Protestant party, and brought down on Ireland those penal laws which were enforced at the very time when, by the bold mouths of her philosophers, England was loudly preaching the principles of toleration and liberty.

One of our contemporaries, forgetting that we were not living in the age of Calvin, Elizabeth, and Moutluc, has had the irreparable misfortune to write the following words: "What we have to do is not simply to *refute* Popery, but to *extirpate* it; not simply to *extirpate* it, but to *dishonor* it; not simply to *dishonor* it, but to *stifle* it in the mire."\*

Such was the programme followed by victorious Orangeism in legislating against the religion of the vanquished, especially during the first half of the eighteenth century.†

By this system of mingled violence and hypocrisy, the Irish, as M. Gustave de Beaumont very justly remarks, had just enough liberty to remain Catholics; but the fact of their being

\* Edgar Quinet; preface to the Works of Marnix de Sainte-Aldegonde;

p. 7.

† The following are among those of the penal laws directed against the Catholic religion which are not mentioned in the historical introduction:

To dry up suddenly the source of the priesthood, sentence of perpetual banishment was passed upon all bishops or ecclesiastical superiors having power to confer orders; (9 Will. III., c. i.; 1698).—Sentence of death against banished bishops who should return to Ireland; (*Ib. id.*).—Severe penalties to be inflicted upon any one giving them shelter, and large rewards offered to any one who should denounce them; (2 Anne, c. 3, § 5-20; 1704).—Transportation of all priests except registered parish priests; exclusion of all foreign priests.—Irish priests required to enter into sureties not to leave the county, (2 Anne, c. 7; 1704), and to officiate only in the parish for which they were registered.—Forbidden to put crosses on the chapels; to use bells, or to make use of those already placed; to wear the ecclesiastical dress; or to perform any ceremony outside the chapel.—The infraction of these laws punished by transportation; (21 and 22 George III., c. 24).—Yearly salary, first of £20, then £30, to every apostate priest, (2 Anne, c. 7, § 18; 11, 12 George III., c. 27).—It is curious to compare with some of these laws, dictated in the eighteenth century by Protestant fanaticism, two ukases of the Emperor Nicholas, (1839 and 1840), and the criminal code published in 1847 against the Catholic Church of Poland; (See Father Theiner, vol. ii., pp. 399, 400, 407; and Father Lescœur, p. 87).—A law voted, in 1723, against Catholic priests by the Protestant Parliament of Dublin, sent up for the approval of the Lord Lieutenant, but fortunately rejected by Walpole at the instance it is said of Cardinal Fleury, is so infamous that it is with the utmost reluctance that we allude to it: "There was a clause for castrating every Catholic clergyman that should be found in Ireland."—(Quoted by Plowden. See also Moore: *Mem. of Capt. Rock*, vol. i. c. 14.)

As to the simple faithful, they might at any time be summoned before a magistrate in order to state the day, the place, and the hour, on which they had heard mass, and to discover the priest who had celebrated it, and the persons who had heard it. Any one refusing to give this information was sentenced to a fine of £20, and in default of payment to a year's imprisonment; (8 Anne, c. 3; 1710). Crosses, and statues of the Blessed Virgin, were to be destroyed.—Whipping was administered to those who frequented places dedicated to St. Patrick, or other saints, (2 Anne, c. 6, § 26 and 27: 1704.)

so was a constant source of suffering to them. Their religion was not violently torn away from them; but they could not profess it without being galled in a thousand ways. This was precisely what the law had in view.\*

Protestant authors themselves tell us that this system was based upon the most contemptible of motives.

Pure fanaticism is only odious; but whenever it serves as a cloak to base cupidity it becomes ignoble. Now we know that the penal laws of the eighteenth century were not always enforced with equal rigour. Protestant zeal was not always equally bitter and merciless; it managed to draw certain distinctions between Catholics. A *poor* papist was easily pardoned his infractions of the law; but the *wealthy* Catholic was doubly suspected,—he could expect no leniency. This distinction is pointed out to us by the Protestant traveller Arthur Young: The laws,—said he,—do not seem to be directed so much against the religion, as against the *property* of the Catholics. By law, a priest ought either to be transported or hung for saying Mass, but he is easily allowed to say it with impunity. Let the same priest make a fortune by his masses, and he immediately becomes an object of persecution.†

To sum up; the history of the Protestant Church in Ireland is a sad and scandalous one. Open violence, hypocritical tyranny, constant robbery, perpetuated even to our own times; such is the Protestant Church of Ireland as established by the hateful passions of her founders.

Now what has the Protestant Church in Ireland to show against so many heads upon which a price was put, against so much blood spilled, against three centuries of persecution and plunder? We have seen the arms employed by her; let her show us her conquests.

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## CHAPTER III.

### RELIGIOUS STATISTICS OF IRELAND.

PROTESTANTISM almost immediately upon its establishment in Ireland became the State religion, and entered upon the possession of wide domains. Its wealth dates from its cradle. Rewarded by a sort of anticipative gratitude before the com-

\* De Beaumont, i. 106.

† Quoted by M. de Beaumont; p. 136.

mencement of its apostolic labours, the new church was bound to justify by success the confidence of its benefactors, and to see that no scandalous disproportion existed between the number of its children and the amount of its revenues. We have just seen how energetically it was assisted by the State in the furtherance of this much desired object. Nothing was neglected,—save perhaps the only means which a Christian Church ought to have employed, namely persuasion, and the peaceful demonstration of the truth by apostolic preaching. On the other hand, everything which a church animated with this same Christian spirit ought to have scouted as damaging to its character, incompatible with its mission, unworthy of its God, and fatal to souls and to itself,—all this was employed with all the doggedness of despair. In vain however did the most inventive minds exhaust their resources in devising oppressive measures, and in varying the palling monotony of persecution. The hangman grew tired before his victims. Church and State, the episcopal crozier, and the bayonet of the English soldiery mutually seconded each other to no purpose. The merciless evidence of figures attests that at no period, during three centuries, has Ireland consented to become Protestant.

In 1672 the total population of Ireland was 1,100,000; of which:

800,000 were Catholics.

50,000 „ Presbyterians and other dissenters.

150,000 „ Protestants of the Established Church.\*

In 1727 the Anglican Primate of Ireland,—Boulter, Archbishop of Armagh,—wrote to his English colleague, the Archbishop of Canterbury, that:—We have in all probability, in this kingdom, at least five Papists for every Protestant; our incumbents and curates do not amount to more than 1,800; the Catholic priests number at least 3,000.

These proportions are confirmed by official statistics, drawn up by order of government, under Queen Anne.†

In 1740, according to a kind of official census, confirmed by Wakefield, the number of Protestant heads of families did not exceed 96,067.‡ Twenty-six years afterwards, the Dublin House of Lords caused a comparative table of Protestant and

\* Sir William Petty: *Political Anatomy of Ireland*. (Thom's Directory sets down the number of Catholics in Ireland in 1672 at 1,320,000. This would not probably change the relative proportions of the different churches.)

† Returns of the Clerks of the Peace to the Council Office; 2 Anne, c. 6; 4 Anne, c. 2.—(William Shee; *The Irish Church*; p. 11).

‡ Returns of the Supervisors of Hearth Money to the Lord Lieutenant, 1740; *Id. ib.*

Catholic families to be drawn up for each county. The result was the following:

Protestant families:	130,263
Catholic families:	305,680

The first figure comprised not only Anglicans but also dissenters of every sect, for whom government had never made any foundation, and who received no spiritual services from the ministers of the Established Church.\*

In 1834, when, in virtue of an enquiry ordered by Parliament into the temporal affairs of the Established Church in Ireland, exact statistical returns were made of the members of each communion, the following was the result:

The total population being then estimated at 7,943,940, the Anglicans only amounted to 852,064; that is to a little less than *one-ninth* of the total population. The remaining 7,091,876, were thus divided:

Presbyterians,	642,356
Protestant dissenters of all other sects,	21,808
Catholics,	6,427,712†

The Censuses of 1841 and 1851 contained no information upon this important question. Thirty years had therefore elapsed since official figures had given the exact proportions of each church.

This silence of the Blue Books had given rise among the Protestant press of England and Ireland to the opinion, too hastily adopted in the Continent by publicists of great weight, that Emigration and Famine had resulted in the equalization of the number of Protestants and Catholics in Ireland. The evident conclusion joyfully drawn from this supposed fact by the defenders of the Anglican Church was, that the scandal of a Protestant establishment in the midst and at the expense of a Catholic people was gradually dying away, and that this side of the work of Henry VIII. and Elizabeth would be shortly invulnerable.

The forlorn hope of the Tory and Orange press went still farther. They boldly disputed Ireland's right to the title of Catholic.‡ So, although ten years ago, and twenty years ago these same journals furiously opposed the entrance of religious denomination into the statistics of the Census, yet when the

\* Since 1672 a yearly grant is made to the Presbyterians under the name of *Regium Donum*. Yet Presbyterianism is the state religion nowhere but in Scotland.

† Thom's *Off. Direct.*; 1862; p 668.

‡ The *Mail*, *Packet*, and *Warder*, (Tory or Orange papers): "Now we shall see what a misnomer it is to speak of *Catholic* Ireland!"

Census of 1861 drew near, they quite as loudly demanded its insertion. They made it the matter of a challenge to the Catholics. "Now it will be seen," they said triumphantly, "that such vast strides has evangelization made, that we Protestants are numerally equal to the Catholics, or very near it . . . We challenge the ultramontane journals to the demand of a denominational Census."

The ultramontane journals accepted the challenge. The Catholics unanimously demanded a denominational Census. The results were submitted to the representatives of the nation in July 1861.\* No shorter, more decisive or more triumphant answer could have been given to the sarcasms and challenges of the old Protestant party.

The total number of persons professing the State religion, that is belonging to the Church of England, in Ireland, was, on the 7th of April 1861, 678,661.

The total number of Dissenters, (Presbyterians, Baptists, Methodists, Mormons, Quakers, Irvingites, &c.), including Jews, was 595,889.

The total number of Catholics was 4,490,583.

The following are the details of the Census for each province.

	Catholics.	Estab. Church.	Dissenters.	Jews.
Leinster,	1,246,253	171,234	21,843	266
Munster,	1,416,171	76,692	10,336	1
Ulster,	963,687	390,130	556,537	54
Connacht,	864,472	40,605	6,861	1
Total,	4,490,583	687,661	595,577	322

These figures involve the following conclusions :

Catholics as compared with non-catholics (Protestants of every denomination and others) are *three and a-half* times as numerous; 4,490,583 to 1,274,560.

Catholics as compared with Protestants of the Established Church, (the only point to be looked at in the question of the endowment of that church in Ireland), are *six and a-half* to one.†

The single province of Munster contains more Catholics than there are Protestants of every sect, including Jews, in all the rest of Ireland; 1,416,171 to 1,274,560.

The results of the Census are more particularly interesting

\* See in the APPENDIX the official Tables of the Census, both as to the comparative number of inhabitants in 1841, 1851, and 1861, and as to the religious denominations.

† Exact proportion  $6\frac{61}{100}$  to 1.

in the case of the province of Ulster, hitherto considered, and rightly so, as the stronghold of Protestantism in Ireland.

Protestants of the Established Church in this province number	.	.	390,130
Dissenters	.	.	556,591
			<hr/>
Catholics	.	.	946,721
			963,687
			<hr/>
Majority in favour of Catholics	.		16,966

Let us pass to minuter details. Every one who has travelled over Ireland knows the traditions attaching to the towns of Londonderry, (in Ulster,) and Bandon, (in Munster). Londonderry is renowned for the siege it sustained against the Jacobites in 1689, by the energetic defence of the Orange General Walker, and by the success which crowned the intrepidity of the besieged. The raising of the siege of Derry is a festival religiously kept by the Orangemen in the month of August, and during which insulting songs are shouted in the ears of Catholics not unfrequently accompanied by brutal provocations.

In vain however does Walker, from the top of his column seem still to guard the city; in vain do the *Apprentice Boys* yearly close their ranks, and swear by the immortal William III. to uphold the Protestant supremacy! Pitiless statistics prove that Derry is very seriously attacked; the papists have forced the gates, and they must soon become masters of the position. Let us count up the numbers:

Protestants of the Established Church,	.	3,499
Presbyterians, other dissenters and Jews	.	5,040
		<hr/>
		8,539
		<hr/>
Catholics in <i>Derry</i>	.	11,954

Such are the strides of the *evangelization* boasted of by the *Mail* and the *Packet*!

The little town of Bandon (Munster) is no less illustrious in the traditions of the Protestants. During the last century the following significant inscription might have been read over its gates:

Turk, Jew, or Atheist  
May enter here, but not a Papist.\*

\* To which a witty Catholic is said to have replied by way of addition to the inscription:—

Whoever wrote this wrote it well,  
For the same is written on the gates of Hell!

Now the following are the present proportions of the different religious communions in this little town, which once made it a point of honour to be the capital and hotbed of Protestantism in the South:

Protestants of the Established Church . . . . .	1,561
Dissenters . . . . .	369
	<hr/>
	1,930
Catholics . . . . .	4,390
	<hr/>
Majority in favour of Catholics . . . . .	2,460
	<hr/>

In fact the progress of the "pure gospel" in Ireland is very far from answering the wishes of its warmest partisans and the multiform efforts made by them in the slow and difficult task of "converting" the Catholics. If the proportions have changed within the last thirty years, that is attributable solely to the terrible trials through which Ireland has passed, and which have told of course chiefly upon the Catholic portion of the population. It is not a matter from which any reasonable Protestant can extract a boast. Land and money are the staple of Protestant conquest in Ireland; and at the present day its empire is waning in those very parts where for three centuries it had enjoyed absolute and unrivalled domination. Orange journals contested the propriety of people calling Ireland *Catholic*; and now parliamentary statistics tell us that people have no right to call even Ulster *Protestant*! Thus at no period has the Anglican Establishment succeeded in bringing about anything approaching an equality between the revenues received and the service done by her. The disproportion, scandalous from the outset, has never been anything else. In 1672 the Protestants of the Establishment formed *a fifth* of the total population of Ireland. Since that time, exile, the scaffold, confiscations, and famine, have unceasingly decimated the Catholics; and yet in 1861 the creed of the Anglican Church is received by *less than a sixth* of the inhabitants. This Church,—and the reproach is addressed to her by a Protestant,—is precisely where she was two centuries ago; not only is she "not victorious over the domain of the old faith, but painfully and with dubious success defending her own frontier, her own *English pale*."†

What mystery is hidden here? We may let the same Protestant authority unravel it in his own language.

† Mr. Macaulay; House of Commons, April 23rd, 1845.



It is not under one or even twenty administrations,—said Lord Macaulay,\*—but for centuries, that we have employed the sword against the Catholics of Ireland; we have tried famine; we have had recourse to all the artifices of the Draconian laws; we have tried unbridled extermination, not to suppress or to conquer a detested race, but to eradicate every trace of this people from the land of its birth. And what has come of it? Have we succeeded? We have not been able to extirpate them, nor even to weaken them. They have increased successively, notwithstanding all our persecutions, from two to five and from five to *seven millions*. . . . . Ought we then to return to the superannuated policy of former times, and render them yet stronger by persecution? . . . . . I know history, I have studied history, but I confess my incapacity to find in it a satisfactory explanation of this fact.—But if I were able, standing beneath the dome of Saint Peter's at Rome, to read with the faith of a Roman Catholic the inscription traced around it: *Thou art Peter, and upon this Rock I will build my Church, and the gates of Hell shall not prevail against it*,—then indeed I could resolve the problem of the History of Ireland!

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## CHAPTER IV.

### ACTUAL SITUATION OF THE CATHOLIC CHURCH.

THE National Church of Ireland is then the Catholic Church. It is that Church which possesses the hearts of the people; it is for her they have suffered, for her they have faced death; the ties which bind that people to that Church are indissoluble.

Seven hundred years of misfortune and trial have consecrated that mutual attachment. Never will the Irish be unmindful that in the midst of the cruel trials which their fathers have undergone the Catholic priest was ever the consolation and the support of the persecuted. And on her side the Church has written in her annals that a whole Nation endured and sacrificed everything rather than part with its faith, and that that Nation was Ireland. That Nation and that Church are truly in the heart each of the other, for life and death.†

Cemented in persecution and blood, that alliance has survived the terrible shocks of the past. Love of the Church,

\* Speech at Edinburgh; (quoted by the Rev. Dr. Miley in his Funeral Oration on O'Connell.)

† “In cordibus nostris estis ad commoriendum, et ad convivendum.”—(II. Cor. vii. 3.)

respect for the priesthood, untiring devotedness to all Catholic interests, such are the characters written legibly and for ever on the brow of the Irish nation.

At the sight of their suffering, one feels that in their resignation and their patience there is a something supernatural; a mixture of gentleness, of patience, and of a strength truly divine. These are the very children of faith; poverty and misfortune instead of degrading them have but more deeply imbued them with the spirit of Christianity. We know but one country in Europe where this spirit has been preserved in its integrity, and where the relations of the pastors with their flocks so irresistibly carry the mind back to the times of the primitive Church. That country is Ireland.\*

The ancient organization of the Irish hierarchy, completed in the twelfth century, has withstood the persecutions and troubles of which that island has been the theatre since the reformation. It is composed of four provinces, forming twenty-eight dioceses.†

The clergy number more than three thousand. They are divided as follows :‡

Archbishops, Bishops, and Coadjutor Bishops	33
Parish Priests . . . . .	1036
Curates . . . . .	1491
	<hr/>
	2560
Priests in seminaries, Chaplains, and Religious in the ministry . . . . .	528
	<hr/>
Total . . . . .	3088

The practical faith of the Irish people, and their eagerness to fulfil their religious duties, would certainly require a larger number of priests, and a reduction in the size of parishes. We

\* "Multitudinis autem credentium erat cor unum et anima una." (Act. Apost. iv. 32.)

† 1° Province of Armagh :

Archbishopric of Armagh, primatial see ; Bishoprics of Meath, Derry, Clogher, Raphoe, Down and Connor, Kilmore, Ardagh and Clonmacnoise, Dromore.

2° Province of Dublin :

Archbishopric of Dublin ; Bishoprics of Kildare and Leighlin, Ossory, and Ferns.

3° Province of Cashel :

Archbishopric of Cashel and Emly ; Bishoprics of Cork, Killaloe, Kerry, Limerick, Waterford and Lismore, Cloyne, and Ross.

4° Province of Tuam :

Archbishopric of Tuam ; Bishoprics of Clonfert, Achonry, Elphin, Kilmacduagh and Kilfenora, Galway, and Killala.—(Battersby's *Cath. Direct.* 1862 ; p. 210.)

‡ *Ib. id.*

have reason to believe that steps will be taken in this direction at no remote period, and it seems assured by all those by which for the last thirty years the Irish Church has afforded so consoling a spectacle to the world.\* Ages of persecution seem to have stored up in her a sap full of strength and vigour, which only awaited brighter days to produce fruit in abundance.

These days have at last come. With the exception of a few restrictions maintained by law,† that church is rising in her independence and her power, all the more mighty for having suffered, all the more popular for having been proscribed, a church truly worthy of the liberty that dawned upon her in the act of 1829.

Hitherto we have accused the English government sufficiently to be entitled to declare aloud how much honour that government does itself in the eyes of the world by respecting, as it now does, the liberty of administration and government which is essential to the Catholic Church.

We are aware that in 1850, in a fit of ill temper, under the influence of old prejudices, it renewed in the case of the Irish Bishops and enacted in the case of the English the law forbidding them to bear the title of their sees. But we need scarcely observe that no one in England thinks of enforcing these childish and superannuated proscriptions. No one goes to law with the Catholic Archbishop of Armagh, because he styles himself Primate of all Ireland, nor with Cardinal Wiseman because he styles himself Archbishop of Westminster.

In Ireland, then, as in England, there is nothing to trammel the pastoral and administrative action of the church. A minister of the Queen who should oppose the convocation of a synod for the arrangement of diocesan affairs and the promulgation of canons of discipline, would be hooted throughout the three kingdoms. Thank God they have there got no "organic laws" and "Gallican liberties." Bishops govern their dioceses and priests their parishes without being interfered with by any one, and without having any spy set to watch over them.

Liberty of charity is neither less entire nor less respected than that of the pastoral ministry. All works of Catholic devotion are founded, extended, multiplied, and managed, without interference; and nobody thinks of fettering them, or watching them, or, still less, of taking them under "protection." Charitable associations hold their meetings, publish their

\* See upon this point Card. Wiseman's interesting account of his tour in Ireland.

† Prohibition to appear in the streets in the ecclesiastical or religious dress; fine and imprisonment for any Catholic priest who marries a Catholic to a converted Protestant, unless the conversion is of more than a year's date; &c.

papers, send about their circulars, just as they think proper. Nobody becomes uneasy at all this, nobody finds fault with it,—because they are simply availing themselves of a right belonging to everyone. A minister of the crown, then, would make the Speaker of the House of Commons himself smile under the triple expanse of his traditional wig, if he were to denounce the Society of St. Vincent de Paul as perilous to the State.\* We feel convinced that the sturdiest enemies of the papacy and its institutions would vote against him; for how could free associations which respect the laws be dangerous in the midst of a free people?

Amongst the strides made by Catholicity in Ireland within the last thirty years, the increase in the number of churches undoubtedly holds the first place. Until 1829 Catholics were forbidden, even in the largest towns, to have chapels in the principal streets. They were hidden, as though branded by proscription, behind houses, at the bottom of courts, in little lanes, where the piety of the faithful alone could discover them. At the same epoch, there were but very few country chapels. The clergy were frequently obliged to celebrate the holy mysteries upon rude stone altars. Some of these altars still exist in out-of-the-way parts of the country, and the people venerate these relics of difficult times.

The number of churches in the whole of Ireland is at the present day above 2,300.† No doubt the greater part of them are simple rural Chapels, still very poor, and containing only what is strictly necessary for the celebration of Mass on Sundays. But in all the principal towns there have already risen up fine Churches, and among them several vast Gothic Cathedrals, of which our largest French cities themselves would certainly be proud.‡

Our chroniclers relate that when the Europe of the eleventh century saw the end of the year 1000 with all its unutterable terrors, and had again begun to breathe and hope, there arose among Christian nations a pious rivalry which should build the most magnificent basilicas. “One would have thought that the world was shaking off the hoariness of age to clothe itself with a white robe of churches;” and all shared in the work,—powerful lords of the land, warriors, delicate ladies, all took part in these manifestations of Christian gratitude.§

\* As did certain personages in France, who pretended nevertheless to be very much in earnest.

† Exact number 2,339, (Battersby's *Cath. Direct.* 1862; p. 210.)

‡ We may mention particularly the Cathedrals of Armagh, Derry, Tuam, Limerick, Killarney, and Cork; and the beautiful Churches of Athlone and Ballinasloe, the Dominican Church at Dublin, &c., &c.

§ Raoul Glaber, a Burgundian Chronicler of the Eleventh Century.

If in Ireland all do not carry the stones destined to shelter the living mysteries of the Catholic faith, all at least take part in that external regeneration of religion, the faithful emblem of that mighty life which three centuries of persecution have been powerless to tread out. To see these master-pieces of architecture one would imagine that the rich alone could make the pecuniary sacrifices necessary for the raising of such vast edifices, and yet it is in fact the privations and sacrifices of the very poorest that are there enshrined; each one of those stones is a real act of faith, a protest of fidelity and devotedness to the Catholic cause.

In proportion as churches are built, the action of the ministry becomes easier, its fruits more abundant, and its influence more lasting. The Irish Bishops are at present making the most praiseworthy efforts to proportion the number of priests and sanctuaries to the spiritual wants of the faithful. The latter, on their side, shrink from no sacrifices in order to work out the sooner this much desired result. But even still the priest is but too often obliged to serve two, sometimes even three, rural chapels,—at considerable distances from each other; and this entails loss of time, as well as excessive fatigue. Besides as the wants of the faithful scattered up and down in villages and farms had first of all to be consulted, the presbytery is sometimes at a considerable distance from the parish church. These arrangements, rendered inevitable by circumstances, are attended with great disadvantages; but the Bishops are straining every nerve to improve them, by increasing the number of parishes and providing that the presbyteries should be placed near the chapels. Living at the door of the church the priest would at once contract the precious habit of looking upon it as the House of God and his own home. The Blessed Sacrament too might be kept in it; and thereby it would become an easy matter to generalize the laudable and fruitful practice of saying morning and evening prayers in common, so as to induce the faithful to assist daily at the Holy Sacrifice of the Mass. Everything gained by the priest in fervour and recollection would infallibly turn to the profit of the faithful. The delicate and exquisite flower of piety which requires such assiduous care, and upon which good example daily repeated has more influence than any preaching,\* would become engrafted upon faith both vigorous, and tempered by the traditions and recollections of persecution.

\* We know at least one diocese in which by the Bishop's order every new Church or Chapel must have the presbytery close to it. This custom will without doubt soon become general.

A touching custom, dating from the times of persecution and continuing to exist down to our own, enables the Irish clergy to exercise the most immediate action and salutary control over their flocks; we mean the custom of *stations*. Not only are the faithful called to the parish church every Sunday to hear Mass, to listen to the word of God, and to receive the Sacraments; but twice a year the pastor visits successively all the hamlets, villages, and farms under his jurisdiction. The first *station*, namely the Christmas one, begins in October and lasts until the end of December; the second, that of Easter, usually lasts from the first Sunday of Lent until the month of June.

The pastor begins the *station* by instructions upon the Sacraments of Penance and the Holy Eucharist; after which he states what hamlets he will visit during the week, and the farms at which he will say Mass and hear confessions.

Arriving in good time at the place appointed, he administers the Sacrament of Penance till about eleven or twelve o'clock; he then celebrates Mass, and administers communion to those who have prepared for it. At the close of each morning of this apostolic labour the priest ascertains who are absent by calling over a list of names; and if any member of a family or any servant is missing, he leaves word for them that on the following day he will be at such and such a farm. Thanks to this continued zeal and pastoral solicitude the Irish parish priests have the happiness to be able to say that with very few exceptions *all their parishioners go to Confession and Communion at least twice a year*. It would be impossible to say how much good is done in these perpetual missions, nor to tell in what measure, by tightening the strong bonds already existing between the Irish people and their priests, they contribute to keep up among the Irish people together with irreproachable morals so very exact a knowledge of the mysteries of religion.\*

Besides the secular clergy, directly under the jurisdiction of the Bishops, and almost exclusively engaged in the pastoral ministry, the Religious Orders and Congregations push forward the good work, and enjoy in their foundation, their extension, and their government, all that liberty which the English Constitution professes to secure to all voluntary associations.

\* A few years ago the Congregation of the Propaganda resolved to abolish the use of *stations*. Ireland, it was said, had enough of Churches and Chapels; and she might easily do as other nations. But an Irish Bishop, then at Rome, having exposed, in a memorial the immense advantages resulting from this system for the good of the faithful, the Congregation struck by these reasons revoked its decision; and it ordered that the memorial should be deposited in the archives for consultation should the question be ever again mooted.

Almost all the religious Orders of men and women are represented in Ireland, and amongst them are many born on the soil, still rich with the blessings of St. Patrick and St. Brigid.

The Congregations of men comprise: the Augustinians; Carmelites; Cistercians; Trappists; Dominicans; Franciscans; Capuchins; Jesuits; Lazarists; Passionists; Redemptorists; Oblates of Mary Immaculate; Fathers of the Holy Ghost; Marists; Christian Brothers; Brothers of St. Patrick; and of the Presentation.\* The Congregations of women comprise: the Sisters of Charity, (Irish and French); the Sisters of St. Brigid; of Mercy; of Loretto; of the Nativity; of the Presentation; of St. Joseph; of the Incarnation; of the Sacred Heart of Mary; of the Good Shepherd; of Our Lady of Refuge; of St. Dominic; of the Sacred Heart; and the Carmelites; the Clarists; and the Ursulines. These orders pass their lives partly in contemplation, and partly in the care of the sick and the education of youth.†

Rich and powerful in all this devotedness, the Irish Church of the nineteenth century might, with advantage, sustain a comparison with that of the thirteenth. Persecutions have in nowise dried her up; and in her great numbers of souls eager for sacrifice and perfection are always to be met with.

This it is which keeps alive among that faithful people a generous emulation in pious and charitable associations and in works of zeal. No want has been overlooked; no opportunity of doing good lost.

The single city of Dublin presents in this matter the most edifying spectacle it is possible to see. The genius of Catholic Charity has there produced all kinds of excellent works; while others introduced from the Continent, and especially sent over to Ireland by France, her sister, finds in old Erin a soil which perfectly agrees with them, and a climate admirably favourable to their development. On the banks of the Liffey and the Shannon, as on those of the Rhone and the Seine, they fill the Church with the good odour of Jesus Christ, and produce in abundance the most exquisite fruit.

Amongst the associations engendered by zeal in Ireland we must make particular mention of the Young Men's Society, founded by a vicar-general of Limerick. Destined to draw young men from a fatal state of isolation, and after having

\* For details see Battersby's *Cath. Direct.*; 1862, (pp. 147-209, *passim.*)

† With the exception of three or four, these orders all belong to Ireland, and have convents in England and Scotland. May one of the next Directories inform us that Ireland possesses some houses of our Little Sisters of the Poor! [There is now (1862) an establishment of this Order, in Dublin.]

brought them together to form bonds between them calculated to make them more powerful against the influence of bad example, this association reminds us Frenchmen both of our "Cercles Catholiques" and of our "Mutual Aid Societies." It makes the performance of their religious duties easier to its members,\* and it organizes literary and scientific meetings in which interesting subjects are treated.† By means of modest annual subscriptions it secures abundant help to its members in case of infirmity or sickness. This association moreover has crossed the seas and taken up a home not only in England and Scotland, but in Australia, (at Sydney and Melbourne), and in the Indies, (at Calcutta, Madras, and Ceylon).

The Young Men's Society has already rendered incalculable service, and there is no doubt that the future is big with the good to be expected from its extension.‡

The immense good done by the Catholic Church of Ireland is the secret of the extraordinary influence she possesses; an influence powerful and beneficent indeed, for it is the offspring of confidence and affection alone.

Is the English government, which pays so little attention to the demands of the episcopacy when its voice is raised in favour of the Workhouse Poor, of Evicted Tenants, and of Children exposed to Proselytism in certain of the "National Schools," that government rightly aware of all that it owes to the authority of these same Bishops? There is no use in pretending to ignore the fact: it is not the regiments encamped in Ireland, nor the 12,000 policeman scattered over the country, who keep down revolt and maintain order. For a long time

\* The rules are few and easy of observation. Monthly confession is the strongest point in them. There are also weekly meetings for prayer in common.

† The most distinguished men in Ireland are invited to lecture at these meetings. Each society has also its own library.

‡ Among other charitable associations of zeal, piety, or charity established in Ireland, and particularly in Dublin, we may mention:

The Association for the Propagation of the Faith;

The Archeconfraternity of Notre Dame des Victoires;

The Society of St. Vincent de Paul;

The Catholic Deaf and Dumb Society;

St. Mary's Blind Asylum.

The Night Refuge for the houseless poor, (founded in 1860 by the Very Rev. Dr. Spratt, under the patronage of the Archbishop of Dublin);

The Fathers of Families' Association;

Several Societies for the Burial of the Poor;

The Ladies' Association of Charity of St. Vincent de Paul.

Different Temperance Societies.

The Orphanages of St. Vincent de Paul; St. Malachy; St. James and Joseph; St. Peter; Mount Carmel; St. Francis of Assisium; St. Stephen, (Cholera Orphans); St. Bridget; St. Mary; and St. Mary Magdalen.

Houses of Retreat for Widows, and Old Maids; etc., etc.

—(Battersby's *Cath. Direct.*; 1862; p. 171-178.)



the excess of misery suffered by Ireland especially during the last century, had multiplied secret societies,\* even in the most Catholics counties. It is said that at the present moment America is making great efforts to enlist the patriotic youth of Ireland in those dark societies, in which they swear hatred to the government, plot against public institutions, and silently organize social war.

All right-minded men, all good citizens, severely blame these guilty proceedings. Even the most ardent of the "Young Ireland" party are unanimous in their disavowal of these dishonest machinations. But who has ever proceeded more energetically against secret societies than the Irish Episcopacy? Who has followed up these illegal associations with more persistent stronger or more dreaded condemnation?† On more than one occasion the Bishops have risked their popularity; they might at the least signal have armed a million of men against a persecuting government; but that signal they refused to give. They thereby incurred much ill-will; but rather than do violence to their conscience they preferred appealing to the future for a more equitable judgment; and when passions were calmed justice was done them.

Yes, that hierarchy of the Irish episcopate stands out bright in relief at the head of the immense work in which the Church devotes herself for the good of souls, and for the alleviation of all the miseries, both physical and moral, of her children. Like those superb Temples of Palmyra,—once said O'Connell, in one of his speeches—which stand proudly erect in the desert, the Irish hierarchy is ever to be seen with dazzling columns, its feet upon the earth, its head in the heavens; churches have been ravaged, the golden vestments have been stolen, even the walls have been destroyed, but still the hierarchy is there, majestic, mighty, magnificent, like the dreams of the archangels in the midst of that eternity whither she leads us.

And the great orator added: "Ah! I bless persecution, for it has but made our church more beautiful and more holy;—The sacred altars of liberty will arise under her portals; and

\* "White Boys;" "Hearts of Oak Boys;" "Hearts of Steel Boys;" "Right Boys;" "Rockites;" "Thrashers;" "White Feet;" "Black Feet;" "Ribbon-men;" &c. (See M. Gustave de Beaumont, vol. i. p. 245-249.)

† To confine ourselves to the most recent documents, it would only be necessary to quote the greater part of the Pastorals for the Lent of 1862. Excommunication, *ipso facto*, is pronounced against any Catholic enrolled in a Secret Society. The *Times* itself, in an article in the beginning of December 1861, did homage to the incalculable service thus rendered to civil society by episcopal authority.

the youth of Ireland, the country's hope, will grow up under her shadow in strength and in virtue!"\*

With the exception of the Maynooth grant, the Catholic church in Ireland is supported exclusively by the voluntary offerings of the faithful. It is true that the English government has three times offered to salary the Irish clergy. But that clergy has always refused; and it must be confessed, that the example of the Presbyterian churches admitted to share the favours of the State was not calculated to encourage them to it.†

The faithful make their offerings to their parish priests during the course of the Christmas and Easter stations. "Each gives of his abundance what he can with confidence; for it is well known that it will return to the first possessor if there be no one worse off than himself. The farmer in easy circumstances gives from £2 to £3; the labourer a shilling or two; only the beggar gives nothing, and never is his poverty more galling to him than that day. He is more pitied too on that day than on any other, if his poverty be real; for the contempt of the faithful would be the infallible punishment of any one able but unwilling to give."‡

Besides the maintenance of their clergy, the Catholics have to provide for the erection and repairs of churches, the building of seminaries, and in a word for every work of piety and charity. These works as in the times of the apostles are founded and supported solely by the alms of the Christian community.

It is accordingly a matter of some difficulty to state exactly the sum usually given by the people of Ireland to meet the wants of religion and its ministers. The donations vary in each province, precisely because they are voluntary; so that some parish priests of certain dioceses of Connacht have no more than mere curates in Leinster. We can only give an approximate idea of the total amount.

The average annual amount of the receipts of the clergy out of the offerings of the faithful may be estimated thus:

\* Quoted by M. John Lemoinne, in an article in the *Revue des Deux-Mondes*;—"Sir Robt. Peel et l'Irlande;"—15th July, 1843. We may also ask the reader's attention to Count de Montalembert's beautiful *Lettre sur le Catholicisme en Irlande*, published in the *Avenir* and reprinted in the fourth volume of his complete works; (p. 127—163.)

† Several independent Presbyterian Churches have been founded in Ulster, in order to escape the indirect control of their synods which the *Regium Donum* gives the government.

‡ Count de Montalembert, *Lettre sur le Catholicisme en Irlande*; (*Œuvres Complètes*, vol. iv. p. 140.)

Bishops,* at	£500
Parish Priests, at	200
Curates,† at	80

Taking this as a starting point, we should calculate the yearly amount as £340,480‡ for the revenue of the pastors out of the charity of the faithful.§

The national Seminary of Maynooth is the only Catholic establishment in Ireland enjoying a grant from the State.||

Pitt first proposed this grant to parliament, in 1795. It was however to be renewed from year to year; and each session the vote was discussed in both houses. This discussion became a regular opportunity for the display of Protestant fanaticism against what it called "the hotbed of superstition and idolatry." In order then to put an end to these irritating discussions the late Sir Robert Peel proposed, in 1845, that the Maynooth endowment should be made permanent; and after a warm discussion this measure was adopted. Hitherto intolerant Anglicans have not been able to make up their minds to such an arrangement. For the last eighteen years they have regularly protested against this grant of £30,000; the only compensation made by government to the Catholic Church of Ireland for all the property of which she has been violently robbed! It is in these parliamentary campaigns that Mr. Spooner has made such a name amongst the bitterest enemies of Catholicism.

To recount all the efforts made since 1845 by this gentleman and his friends for the suppression of the Maynooth grant would be too tedious a task. Not to go farther back than 1860, the session had scarcely opened when Mr. Spooner, faithful to his principles, denounced "the doctrines taught and books used at Maynooth as subversive of social order, and of the constitution of the country. The support given by the State," he added in conclusion, "*was a national sin* for which if we did not abandon it, we should be severely punished."¶

Supported by Messrs. Long, Newdegate, and Hadfield, and

\* Each bishop usually takes the revenues of two parishes, of which he is as it were parish priest. He appoints curates to them, of whom the first has the title of Administrator.

† We must not forget that on account of the size of parishes in Ireland nearly all the priests living in the country, even curates, are obliged to keep a horse.

‡ 28 Bishops, at £500	£14,000
1036 Parish Priests, at £200	207,200
1491 Curates, at £80	119,280

Total	£340,480
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§ Besides this, it is to be observed that the sum yearly subscribed by Ireland for the Propagation of the Faith is very great; in 1861 it was 145,524 francs: (*Annals of the Prop. of the Faith*; vol. xxxiii. 175.)

¶ Thom's *Offi. Direct.*; 1862; p. 689.

¶ Mr. Spooner; House of Commons' Debate of February 14th, 1860.

opposed by Mr. Cardwell, Secretary for Ireland, and Messrs. O'Brien and Hennessy, the motion was negatived by a majority of 186 votes.

In the month of June 1861 the attack was however renewed with indefatigable perseverance by the disciples\* of Mr. Spooner; and a great meeting was held in Dublin, on the 9th December 1861 doubtless to concert the plans of the campaign of 1862, over which Sir Edward Grogan, Member for the city of Dublin, presided. Several speeches were made at this meeting; and a certain Rev. Thomas Wallis declared the endowment to be "subversive of civil and religious liberty, and prejudicial to the welfare of the Irish people"!!

Sir William Verner (Member for the county Armagh) said that it was "base and pusillanimous for the British Parliament to endow an institution which inculcates principles antagonistic to the genius of the British Constitution, and subversive of the *loyalty* of the Irish people!"

Two other members of parliament, Messrs. Vance and Whalley, spoke in the same strain; a certain Mr. Nunn blessed God that it was given him to protest against this great iniquity; and before breaking up, the meeting resolved, upon the motion of Mr. Stewart Blacker, to present a petition to parliament praying for the withdrawal of the Maynooth grant as "the prolific cause of degradation and misery of the country."†

Parliament has always and will always withstand these onslaughts. It will maintain the Maynooth endowment, highly honourable to the conciliatory spirit of Pitt and of the late Sir Robert Peel. By the one party it is looked upon as a

\* House of Commons' Debate, June 4th, motion of Mr. Whalley, Member for Peterborough.

† This monument of Protestant fanaticism is really worth quoting at length word for word:—

"To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, the Petition of a large number of the citizens of Dublin in aggregate meeting assembled in the Round Room of the Rotundo on Monday 9th Dec. 1861.

"Humbly Sheweth,—That your Petitioners respectfully remind your honourable House that the British nation solemnly protests against the principles and practices of the Church of Rome.

"That your Petitioners thoroughly acquiesce in that national decision, believing as they do that those principles are the prolific cause of the degradation and misery both spiritual and temporal of every country in which they are prevalent; that they are hostile to and utterly irreconcilable with civil and religious liberty; and that their propagation in these countries must in time produce the same lamentable results which they do elsewhere; and that, consequently to endow a College for the dissemination of such doctrines is suicidal, inconsistent, and dangerous.

"Hence your Petitioners most humbly pray that your honourable House may withdraw all State endowment from the Roman Catholic College of Maynooth.

"And your Petitioners will ever pray."

measure of justice and reparation for all that has been violently torn from Catholics during three centuries; by the other—and that party counts among its members by no means the least skilful defenders of Protestant interests—it is regarded as the only method of giving any kind of colour to the existence of the Established Church in Ireland. Were the Maynooth grant withdrawn, the existence of the Protestant Establishment in a Catholic country would appear even to the most prejudiced so evidently monstrous, so contrary to the plainest common sense, that no one would dare to defend that church, which would soon fall under the contempt and reprobation of the world.

We shall now place side by side with this annual endowment of £30,000, the object of the continual attacks of over-heated Protestantism, and one which Catholics would willingly forego, were perfect equality established between the two religions;—the endowment of the *Protestant* Church in Ireland; an endowment which for the most part presses heavily upon the Catholic population, and which is superadded to those free offerings without which the Church of the majority of the Irish people could not exist.

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## CHAPTER V.

### BUDGET OF THE PROTESTANT CHURCH IN IRELAND.

IN the preceding questions we have frequently had to disentangle truth from amidst the most contradictory opinions, and the most opposite systems. The study of all these problems of a purely political kind shows us that the interests of Ireland and of her nationality are in collision with English interests. Any one who treats the knotty and delicate question of Landed Property can scarcely take up the cause of the tenant without impeaching the proprietor, and *vice versâ*. It would be difficult indeed to find a man avowing the opinion that destitution is a good thing, and able to rejoice at the sufferings of the poor; but the present system of administration of Workhouses has its partisans: and in spite of the evident inroads made upon the original principles of Lord Stanley's system of Education, that system has with many adversaries also powerful and respectable friends.

In the case of the Established Church of Ireland all these differences of opinion vanish at once.\* It enjoys the privilege

\* We except, of course, Mr. Spooner's school, Exeter Hall, and the members of sundry Bible Societies.

of uniting in the most astounding accord men of all parties. No Catholic has ever spoken of that Church with anything approaching the contempt which she inspires to the most enlightened and the most influential of the Protestants. The very statesmen and publicists who are the sturdiest champions of all other parts of the British system in Ireland pause, as if involuntarily, when they come upon that Church, and forget for a moment their business of being its apologists to become its most merciless adversaries. It may safely be said that at no time has any political or religious institution been so universally attacked and not only attacked but scorned.

This surprising unanimity will greatly diminish the task of a Catholic priest obliged to expose the present organization of that Church and to shew under what kind of a load it crushes Ireland. The severity of our judgment might have been ascribed to religious prejudices, and notwithstanding our sincere desire to bring into the discussion of this as of all other questions, a passion for nothing but justice and truth, the impartiality of our appreciations would have been easily called into question. Here then more than in any other part of this enquiry we shall carefully make way for evidence the authority of which nobody will question. We shall make official figures speak, and Protestant publicists shall be our only commentators.

Since the establishment of the "Reformation" and of a State Church in Ireland the endowment of that Church has been made up of two elements.

1. The Revenues derived from ecclesiastical benefices.

2. The produce of the Tithes paid by the whole population.\*

Up to a relatively recent period Tithes were levied "in kind" by the agents of Protestant ministers, and frequently by the ministers themselves. During the harvest these strange pastors were seen going through the fields of the Catholic farmers clearing off every tenth wheat sheaf, and every tenth bushel of potatoes.

It may easily be imagined whether or not such a tax was odious to the Irish people. The manner of collecting it rendered it peculiarly hateful. Every time a minister appeared in the fields of a Catholic to enforce in person his right to tithes, he carried with him the memories of three centuries of persecution; it was not enough for the whole soil of Ireland

\* Two ecclesiastical rates, the *Parish Cess*, and *Ministers' Money* have been abolished. As to the suppression of half the Anglican Bishoprics in 1833, it will be seen by official statistics quoted in the course of this chapter that that measure has left the constitution of the State Church much as it was before.

to have been confiscated several times,—the spoliation continued down to the middle of the nineteenth century to be the inseparable companion of official Protestantism. And so,—what imprecations were there not denounced against those rapacious hands which seized these sheafs, and renewed at each harvest the hardest and most humiliating of oppressions!

From the year 1830 an all but general resistance against Ecclesiastical Tithes was organized in Ireland. The peasants of many counties refused payment, and preferred being dragged before the ecclesiastical courts to which their refusal rendered them amenable.\* At last they fell to open resistance, and in 1831 and the following years bloody affrays took place in many parts of Ireland, in particular in the county Kilkenny.

The obligation of paying Tithes was formal, and the legal right of the ministers incontestible. Still, the latter thought the government had been rather wanting in firmness in reducing the refractory to obedience. According to them the police had fought but feebly; a special force ought to have been organized to carry on the war against the people.†

Had government listened to these blind solicitations of passion and cupidity, the Irish Establishment would have been ruined. The Irish people was determined on shaking off the yoke; it was one of those critical moments in which a desire to hold all exposes men to lose all, and in which a proper appreciation of their interests obliges men to compromise before it be too late. The government, more far-sighted than the church, saved her in spite of herself by skilfully turning an obstacle against which force would have been useless. A law passed on the 15th of August, 1838, diminished the Tithes by one-fourth, and converted them into a land tax, payable by the proprietors.‡ In this new form this tax is now known not as "Tithe," but as *Tithe Rent Charge*.

At bottom this measure was entirely in favour of the Protestant ministers. In fact the diminution of the tax was much more apparent than real. Whilst paid directly by the cultivator it was doubly uncertain revenue; but under the new measure the ministers might count upon regular and full payment, since the landlords were now responsible for it.

As far as the Anglican Church was concerned it had the

\* Whence the proverb, quoted by M. de Beaumont (vol. i. notes p. 398,) : "To go into the ecclesiastical court to contend with a minister is going to law with the devil in a court held in hell."

† M. de Beaumont; vol. i. p. 330.

‡ A note added by Count de Montalembert, in the new edition of his *Lettre sur le Catholicisme en Irlande*, contains a few inaccuracies. It was not the "Tithe in parishes inhabited by Catholics" that was abolished, but the "*Parish Cess*," a tax destined for the support of the Anglican Parish Churches.

priceless advantage of putting an end to the scandalous and irritating scenes which had provoked so many popular tumults. The persecution was now less sensible. The hatred and contempt for the ministers which an abhorred contact with them had excited was no longer provoked.

The peasant himself was glad of the change. He still continues to pay tithes; since the proprietor raises the rent in proportion to the amount of the Tithe Rent-charge;\* but he is at least spared the pain of seeing tithe collectors walk into his little field and carry off their or their own masters' share of the harvest.

It may be safely said that had it not been for this skilful manœuvre the Tithe system could never have stood. In the odious enforcement of their rights not only had the ministers against them the resentment of the Catholic population, but their proceedings excited the disgust of every liberal generous and high-minded member of the Protestant party. The moment could not have been far distant when the whole system would have crumbled away under the weight of universal public reprobation. By ceasing to be oppressive, the abuse has in fact been strengthened; a half remedy has perpetuated the evil; and we know that more than once O'Connell was reproached for having entered into a compromise without which tithes, and with them the whole fabric of the State Church, would have fallen to pieces.

An approximation only can be made to the amount yearly paid in Tithes. Independently of the fact that ministers are not eager to afford over exact information upon this point, the estimate of this tax is made out only once in seven years, and the time for this estimate varies in each parish. The basis of this estimate is the average price of wheat during the preceding seven years; and according to the result of the calculation the Tithe Rent-charge is increased or diminished for the next term.

In any case, by taking the figures from Thom's Official Directory, we may be sure of being rather below than above the truth. Now, according to this Directory, the total amount of Tithe Rent-charge is at the present moment £482,773.†

\* M. de Beaumont, vol. ii. p. 209.

† "The total amount of Tithe Rent-charge payable to ecclesiastical persons is £401,114, &c. Lay impropriators possess Tithe Rent-charge to the amount of £81,659 (total £482,773)." — (Thom's *Offi. Direct.* 1862; p. 670.)

These *lay-impropriators* are laics possessing those lands to which according to the ancient feudal constitution in the Catholic Church was annexed the right of patronage and of tithes. These rights passed with the confiscated lands into the hands of the proprietors, in the sixteenth and seventeenth centuries; and their heirs have maintained them.



Thus, the mere Tithes paid to the Protestant Establishment amount to one-third more than the whole income of the Catholic Church.

To Tithes must however be added the revenues coming from the lands which form the chief source of the wealth of the Established Church.

Previously to 1833 the Establishment in Ireland was made up of four provinces, comprising twenty-two dioceses, 1,387 benefices, and 2,450 parishes.\*

Long before this time liberal Protestants were busying themselves about the evidently abnormal situation of that church. The Parliamentary Reform of 1831, by suppressing "rotten boroughs" and giving manufacturing towns a share in the representation of the country, had opened public life to men eager rather to work for the future than stubbornly to maintain the superannuated traditions of the past. The monstrous abuses of the Anglican Church in Ireland accordingly could not long escape the attention of the new legislature. An inquiry was determined upon; and in 1839 a Commission was appointed to make "a full and complete inquiry" into the question. This commission was directed to enquire into the actual state of "the revenues, patronage, episcopal demesnes, real property belonging to each archbishopric and bishopric, and to each cathedral or collegiate church, and to all ecclesiastical benefices with or without the care of souls, in Ireland."

The Commission had not yet terminated its inquiry when on the 11th of March, 1833, Lord Althorp laid before the House of Commons, in the name of the Cabinet, a Bill, which received the royal assent in the course of the same session.†

Under this bill the four provinces were reduced to two, by the union of Tuam to Armagh and of Cashel to Dublin. Twelve dioceses were to be suppressed, upon the decease of the titular bishops, and incorporated with the remaining ones. Sinecure benefices were also suppressed, as well as those in which divine service had not been celebrated during the three preceding years (1830, 1831, 1832).

But what was to become of the revenues of the suppressed benefices? Was this sum to be consecrated to works of public utility by which all Irishmen, without distinction of creed,

\* M. de Beaumont (vol. i. p. 310 and 390); quoting official documents "Report of the Commissioners appointed to inquire into the state of religious and other instruction in Ireland, 1835;"—"Ecclesiastical Revenue and Patronage, 1834, 1836, 1837."

† "An Act to alter and amend the laws relating to the Temporalities of the Church of Ireland."—(Hansard, xvii. 979; 3 and 4 Will IV. cap. xxxvii.) This Bill was drawn by Mr. Stanley, now Earl of Derby.—(W. Shee; *The Irish Church*; 1852, p. 14.)

would profit? Had this been the case this reform in the Anglican church would have been the commencement of a reparation, and a substantial satisfaction made to the rightful demands of public opinion. But this measure, bold as it appeared, did not sensibly lighten the heavy burthen imposed upon Catholic Ireland in favour of the state church. What was apparently taken from that church with one hand was given back with the other; with this vast advantage, that the external evil being for the future less apparent would shock public opinion less, would not give the same amount of scandal, and would like all mitigated abuses be less than ever open to a complete and radical reform. Accordingly the Establishment, at first rather offended at the liberties thus taken with it,\* soon fully understood the whole extent of a service which whilst screening it from more dangerous onslaughts allowed it to live for the future in peace.

The revenues of the suppressed sees and benefices were devoted to the following purposes by the bill of 1833. A permanent Commission, composed almost exclusively of bishops and high dignitaries of the Anglican church, was appointed to receive these revenues upon the death of the titularies. To these revenues was added the proceeds of a tax upon all benefices of £300 or over.† These funds, together with church-rates, were to form an Ecclesiastical Fund, managed by the Commission, and destined for the maintenance of public worship in Ireland; (*i.e.* construction, repairs, purchase of church furniture, &c.)

Since its institution, the Ecclesiastical Commission has sold perpetual leases of church lands, of which it had the management, to the amount of £627,253.‡

The revenues which it received during this period of 27 years, amounted to £3,173,722; out of which £806,582 were allowed by the Commission for Church repairs.§

The total of the net revenues of the twelve existing sees is £63,038;|| giving an average of £5,215 per see.

\* "An Address to William IV. against '*hasty innovations in the Church*,' was signed by 1,400 dignitaries and beneficed clergymen, and presented to his Majesty by the Archbishop of Armagh and other prelates."—(W. Shee; p. 18.)

† This rate was only to be levied upon the death of the then titularies; (observe the scrupulous respect for vested rights.) The government lent besides a million sterling to the clergy, as compensation for unpaid tithes. This "loan" was soon afterwards converted into a gift.—(William Shee; *The Irish Church*; p. 16.)

‡ Thom's *Off. Direct.* 1862; (p. 669.)

§ Previously to the appointment of the Ecclesiastical Commission the bishops and holders of benefices had to apply to parliament for the construction or repairs of churches. M. Gustave de Beaumont estimates at £782,061 the amount of parliamentary grants since 1800.

|| The gross amount of these revenues is £79,197. But this amount is rated to the tax by the Ecclesiastical Commission; and for this reason we only quote the

Adding these different sums together we get:

Annual incomes of existing sees	£63,038
Annual average of revenues received by the Ecclesiastical Board, from sup- pressed sees and benefices	117,545
Produce of Tithe Rentcharge	482,773
	<hr/> £663,356*

But if this sum represents the total of the revenues enjoyed by the ministers of the Anglican Church, it is far from giving any just idea of the incubus which this Church is upon the country. The Church lands in Ireland do not merely enrich ecclesiastical dignitaries and occupants of benefices; they form also an inexhaustible source of fortune and well-being to their relations, their friends, their clients, or their creatures.

These lands, according to the estimate made either by the bishops or their vicars-general, comprise a total of 743,326 acres; of which 587,789 are good land, and 155,537 unfit for cultivation.†

The income arising from 587,789 acres of good land, let at ordinary prices, would evidently amount to a much higher figure than that of the funded income of bishops and other holders of benefices.

To become convinced of this we have only to examine some of the leases of church lands, as they are set forth in official documents.

In the diocese of Tuam, one of the tenants of the Anglican bishop pays only £153 rent for 1,063 acres of land.‡ In the diocese of Dublin 1,604 acres of episcopal land bring in only £67. Another tenant of the same diocese pays only £5 rent for 276 acres.§

Are we thence to conclude that unlike the lay proprietors who are reproached with the rack-rent system the Anglican bishops go to the opposite extreme, and are so heedless of the things of this world that they hold their lands solely for the advantage of their tenantry?

net revenues. The Archbishop of Armagh, the wealthiest of all the Anglican bishops of Ireland, has a net income of £14,634.—(Thom's *Offi. Direct.*; 1862; p. 670.) The bishop of Cork, the least favoured of all, receives only £2,310 per annum.—(*Ib. Ib.*)

\* Official figures (Thom's *Offi. Direct.* 1862, p. 669 & 670). Probably under the truth, since M. Gustave de Beaumont estimates the revenue of the Establishment, in Ireland, at a moderate calculation at £880 000: (Vol. i. p. 311.)

† We have taken these figures from the statistical tables of Mr. Shee's learned work. These tables were drawn up according to the reports of dignitaries of the Established Church.

‡ W. Shee, p. 91.

§ *Id. ib.* p. 102. (See the same work, pp. 52, 122, 127, 144, 157, 159, 178, 180, 190.)

M. Duvergier de Hauranne will explain the mystery to us:

"When the proprietors were first stripped of their estates, and these estates were handed over to the Establishment, they were not worth what they are to-day. Settling down upon them was then dangerous work; and the church was but too happy to let them for next to nothing. Moreover leases were in general given for twenty-one years, and few bishops are likely to live that length of time. Every year, then, the lease was renewed by the incumbent Bishop at the original price, *plus* a large "good-will;" and thus the income from the land was divided between him and a species of tenant proprietor, who by degrees got accustomed to look upon himself as the real owner of the land.

"Let us, for example, suppose a bishop to whose see are annexed 100,000 acres of land, let originally for the miserable sum of £1,000 a-year. Renewed from year to year by his predecessors, this lease of twenty years has still to run when he enters on possession. If he waits twenty years, he may increase the rent a hundred fold, by letting the land at ordinary prices. But during those twenty years he will have to live upon £1,000 a year, and a bishopric is not hereditary. He therefore consents to receive £20,000 a year, a fifth of the real revenue, and by this arrangement he binds his successors as his predecessors bound him. Some bishops, if young, '*run their life against the lease.*' Then, when the fatal term approaches, they exact immense sums from the tenant to whom they grant a lease upon the original terms.\* Two or three have let the lease run out, and at the end of twenty-one years have given it to their sons; thus securing to their family a kind of pro-

\* Hence the sad spectacle presented by some Anglican bishops, whose greatest anxiety in the last throes of agony was the renewal of leases in order to secure their children's future.

Hence too the colossal fortunes left by many bishops to their families. The following legacies have often been quoted. The figures are borrowed from an official report presented to the House of Commons.

Dr. Stopford, Bishop of Cork, left by will . . . . .	£25,000
Dr. Percy, Bishop of Dromore, . . . . .	40,000
Dr. Cleaver, Bishop of Ferns, . . . . .	50,000
Dr. Bernard, Bishop of Limerick, . . . . .	60,000
Dr. Knox, Bishop of Killaloe, . . . . .	100,000
Dr. Fowler, Archbishop of Dublin, . . . . .	150,000
Dr. Porter, Bishop of Clogher, . . . . .	250,000
Dr. Hawkins, Bishop of Raphoe, . . . . .	260,000
Dr. Beresford, Archbishop of Tuam, . . . . .	260,000
Dr. Agar, Archbishop of Cashel, . . . . .	400,000
Dr. Warburton, . . . . .	600,000
Total, . . . . .	<u>£2,075,000</u>

—(Quoted by Father Perrone in his "*La Protestantisme et la règle de foi*;" vol. iii. 358.)

perty with feudal tenure. These however ran great risks. These strange practices have formed in Ireland a class of half landlords, more interested than even the clergy in the maintenance of the present state of things. They consider these lands as their own; and still they have nothing but a lease for twenty-one years.”\*

Although the sums paid by way of good-will by the Church tenants are considerable, still they are far from being equal to the real value of the land.† How, then, is the equilibrium restored between the nominal and real value? By contracts of tenure, drawn up between the Church tenants, and the cultivators. The latter fill up the deficit, by paying out of their sweat and toil the other four-fifths of the supposed value. Thus the figure of the revenues of episcopal sees and benefices gives but a faint idea of the extent to which the resources of the country are sucked up by ecclesiastical property.‡

The financial statistics of the Establishment in Ireland become much more interesting when put side by side with certain statistical details upon the population. Twenty years ago M. Gustave de Beaumont counted 42 benefices and 198 parishes in which there was not a single believer in the Anglican Church. In a speech made in the House of Lords in 1846, Earl Grey, quoting Lord Hardwicke, reminded the house of

\* M. Duvergier de Hauranne; *Lettres sur l'Irlande*; (p. 240.)

† According to the estimate made by the bishops themselves, they are generally equal to one-fifth of the real revenue.

‡ This will probably account for the great difference between the valuation of the wealth of the Irish Establishment, made by Wakefield (vol. ii. p. 470), in his great work upon Ireland, and that of the official statistics upon this point. The valuation of the former is considerably larger.—(*An Account of Ireland*.)

A very curious, and now rare book, published in 1830, (*The Black Book*), estimates at £1,426,587 the total amount of the revenues of the Protestant Church of Ireland. The anonymous author of this book adds: “Our statements have been chiefly drawn from the admission of the parties who wallow in the corruption of which we complain, from official returns to parliament, and other accredited sources of information.”—M. Duvergier de Hauranne puts it at One Million Sterling, but without going into details, or quoting official documents.—Count de Montalembert puts the *capital* represented by the revenues of the Irish Church at £52,239,586; and the annual revenue at £1,200,000, (*Ouvrages Complètes*; vol. iv. p. 131.)—On the other hand, one of the dignitaries of that church, Archdeacon Stopford, in his refutation of Mr. William Shee's book, pretends to prove that the revenues of the Anglican Church are not above £510,675. To get this figure, however, he deducts the cost of recovering the Tithe Rent-charge, and the Poor rates. This is much the same as saying that a landlord has not an income of £100,000, because he has to deduct from it his taxes, and the salary of his agent. What is more curious still is, that Archdeacon Stopford pretends to establish, by other calculations, that the Anglican Church in Ireland is totally unable to support the numerous burthens which weigh upon her! He estimates her annual deficit at a little over £78,000 a year!!—(*The Income and Requirements of the Irish Church*; pp. 59 and 60.) We leave the common sense of the public to do justice to this last assertion.

the fact that there were in Ireland 150 parishes in which the Tithes collected amounted to £58,000, and in which parishes there was not a single Protestant.\*

Hence a large number of incumbents are non-resident, and pay a poor curate some £75 or 80 a year to do duty for them. Now, as these curates are usually married and have families, they have the greatest difficulty in living in accordance with their position. This gives rise to the most painful contrasts in the Anglican Church in Ireland. On the one hand are seen bishops, canons, and prebends, with little or nothing to do and incomes that are counted by thousands; and on the other poor curates who perform the Protestant service, where Protestants are to be found,† and who are obliged to be satisfied with the crumbs that fall from the table of the rich dignitaries.

Accordingly it is not upon these modest and often poor country clergymen that the scandal of the Irish State Church falls. They have a share in it, it is true, but that share is so inconsiderable, and the treatment they get at the hands of their colleagues in the ecclesiastical ministry so very unenviable, that one is more inclined to pity them than to be vexed at seeing them serve as instruments in one of the most glaring injustices which the world has ever witnessed.

There is in all this a fusion of the odious and the absurd unparalleled in history, which is stigmatized with the most complete unanimity by men of every shade of opinion. "The

\* "Last year Lord Hardwicke asked whether it was not true that in Ireland there were 150 parishes in which the Tithe Rent-charge amounted to £58,000 for the support of the Church, and in which there was no Protestant inhabitant."—(Earl Grey; House of Lords, 23rd March, 1846.)

We have gathered in Mr. Shee's interesting work, some particulars deserving of notice here. These figures being taken from the *Census* of 1834, we only quote them as historical curiosities, without answering for their present exactness:—

Parishes.	Inhabitants.	Catholics.	Anglicans.	Ministers' Income.
Mansfieldtown (Armagh),	1067	1063	4	£216
Templebreedan (Emly), .	1414	1412	2	93
Castletown (Cloyne), .	3296	3279	17	414
Clonmult (Cloyne), .	1196	1195	1	176

—(Will. Shee; *The Irish Church*; [statistical tables], pp. 36, 37, 130, 131, 148, 149, 170, 171.)

† Even in parishes where there are no Protestants, the Curate goes through the service, "At church time," said pleasantly M. Duvergier de Hauranne, "the ringer rings the bell for the curate and the sacristan; the sacristan takes up his halberd for the ringer and curate; and the curate preaches for the other two: sweet exchange of good offices for which the country is obliged to pay!"—(*Lettres sur l'Irlande*, p. 214.)

mere existence of this Church," said M. Gustave de Beaumont, very rightly, "proves that there is in human institutions a degree of selfishness and folly to which it is impossible to ascribe a limit.\*

"This Church," said the *Revue des Deux Mondes*, nineteen years ago, "is in Ireland the Church of the stranger, the baggage of the conquest, the personification of four centuries of tyranny. So long as this exotic tree planted in Ireland by force shall continue to suck up and absorb the substance of a whole people, which refuses to sit down under its accursed shade, Ireland will never know peace, and England, let her be well convinced of it, will never know repose."†

"The Irish Establishment," according to a Protestant archdeacon, "is an anomaly unparalleled in the Christian universe."‡

Lord Macaulay called it "the most absurd of all the institutions now existing in the civilized world. . . . emphatically a bad institution;"§ and in 1843 Lord John Russell declared the maintenance of that Church in its present state impossible.||

But this edifice, built by violence, is rendered impregnable to the progress of ideas and the demands of public opinion by cupidity. It shelters so many interests, and assures and secures so much influence to government and the aristocracy; in a word it is grounded upon and supported by such inveterate prejudices and powerful passions, that it is difficult to say how long it will be before it withers away under the weight of public scorn.

In fact the peculiar position in which Catholic members of parliament are placed, and the manner in which their action is fettered in the Anglican Church question, obliges them to act with great reserve. Upon taking their seats they must swear that they have no intention to subvert the Established Church, and must bind themselves: 1st, to defend the settlement of property, as established by the laws; and 2ndly not to

\* M. de Beaumont. Vol. ii., p. 201.

† M. John Lemoigne; "Sir Robert Peel et Irlande."—*Revue des Deux Mondes*; July 15, 1843; p. 351.

‡ Archdeacon Glover; Answer to a Letter of Dean Pellew; May 16, 1835.

§ House of Commons, April 23rd, 1845.

|| House of Commons; July, 1843. [See also upon this point, upon which it would be impossible to quote all the evidence, a speech of Lord Brougham in the House of Commons in 1825; the *Works of Sidney Smith*, (vol. iii., p. 531, Longman, 1854); a fine speech of Mr. Justice Perrin, during the session of 1835, (*Hansard's Parliamentary Debates*, xxvii. p. 914); the speeches of Earl Grey; Sir Charles Wood, (Chancellor of the Exchequer); Sir W. Somerville, (Secretary of State for Ireland,) Session of 1843; Mr. Ed. Miall, May 27, 1856; and the publications of the Church and State Separation Society, (2 Serjeant's Inn, Fleet-steet.) All these are the testimonies of English Protestants. See too a long and interesting letter of Mr. O'Neill Daunt, a convert; in the *Freeman* of Nov. 4, 1859; and an article of the *Rambler*, March, 1860.]

use any power or privilege to disturb or weaken the Protestant religion or Protestant government in the United Kingdom.\*

Official Protestantism evidently saw the logical consequences of the Emancipation Act of 1829. It took its precautions in order to make the existence and maintenance of the Establishment a constitutional *postulate*, from which all free discussion should start.

It is not then Catholics, who are shackled by their oath, but liberal Protestants, who have vigorously attacked in Parliament the odious scandal of this State Church supported at the expense of a people who abhors it and is ground down by it.

Never, and this is an important observation, have the most determined adversaries of the Irish Protestant Establishment questioned the rights of the present titularies, no one has ever proposed to expel from their sees, their canonries, or their prebends, those who enjoy their large revenues. In a word, no one has ever thought of any sudden and violent revolution, nor of the reparation of past spoliation by the wholesale dispossession of the Anglican clergy of Ireland.

Above all it has never been proposed to substitute the Catholic Church of Ireland for the Protestant one by handing over to the former its lands and revenues, so that the United Kingdom should contain three Established Churches, the Episcopalian Church in England, the Presbyterian Church in Scotland, and the Catholic Church in Ireland.

It has never even been proposed to endow the Catholic Church with *part* of the revenues of the Establishment, although such a measure would be nothing but a piece of the most elementary justice.†

To render more easy the suppression of the monstrous

\* The following is the form of Oath administered, instead of the heterodox propositions which prevented Catholics from entering Parliament before 1829 :

"I do swear that I will defend to the utmost of my power the settlement of property within the realm as established by the laws. And I do hereby disclaim disavow and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm ; and I do solemnly swear that I never will exercise any privilege to which I am or may become entitled to disturb or weaken the Protestant religion or Protestant government in the United Kingdom. And I do make this declaration and every part thereof in the plain and ordinary sense of the words of this oath, without any evasion equivocation or mental restriction whatsoever, So help me God."—(The Oath prescribed to Roman Catholic Members of Parliament by the 10th Geo. IV. cap. vii., instead of the Oaths of Allegiance, Supremacy, and Abjuration ;—W. Shee, *The Irish Church*, Appendix, p. 225.)

† In fact the Presbyterian Churches of Ulster have since the time of Charles II. been in the enjoyment of an annual grant, known as the *Regium Donum*. The amount of this grant was in 1861, £39,746. —A note upon the constitution of the Presbyterian Churches of Ulster and the other dissenting sects will be found at the end of this chapter.



anomaly of the Protestant Establishment in Ireland, its adversaries took up quite another ground. They demanded that the property of the Irish Church should be *secularized* gradually upon the death of the titularies, and that the revenues should be divided into two parts; one for the honourable maintenance of Anglican ministers having benefices with the care of souls; the other for works of general utility, of which latter part all Irishmen, without distinction of creed, should be allowed to have a share.\*

In 1835 a bill embodying these equitable dispositions was actually laid before the House of Commons† by Lord Morpeth, (now Earl of Carlisle, and Lord Lieutenant of Ireland). This bill passed three readings in the House of Commons; but it was thrown out by the Lords, where all the members of the English episcopacy and some of that of Ireland sit as peers. Whether it was that this pertinacious opposition discouraged the whigs, or whether, according to an able publicist,‡ the most liberal members of the House did not consider the provisions of this bill as too radical a solution of the religious question in Ireland, this secularization of a portion of the revenues of the Establishment has not now been mooted for several years.

On the other hand a more formidable and general attack is being organized, not only in Ireland, but in Great Britain, against the principle itself of a State Church.

This great undertaking is chiefly conducted by Dissenters and liberal Anglicans. Their force is daily increasing, and their opinions are gaining ground in Parliament.§ Last year the measure for the abolition of church rates was only defeated by the Speaker's casting vote.||

This success gives promise of future success. Justice, which demanded that the organization of the establishment in Ireland should be so modified as to prevent its being for the future

\* See speeches and motions of Mr. Ward, afterwards Sir Henry Ward, (Member for St. Albans), May 27, 1834; of Mr. Grote (same day); of Lord John Russell, March 30th, 1835; and the speech of Mr. Justice Perrin already mentioned (1835). They are summed up in Mr. William Shee's book, p. 17-27.

† It was entitled: "*A Bill for the better regulation of Ecclesiastical Revenues, and the promotion of Moral and Religious Instruction in Ireland.*"

‡ Mr. George Lewis Smyth; *Ireland Political and Statistical*, III. 153.

§ See the periodical publications of the *Society for the Liberation of Religion from State Patronage and Control*, whose head quarters are in London; and particularly the *Liberator*, a monthly, and the *Non-Conformist*, a weekly journal.

|| House of Commons, June 19, 1861; 274 ayes, 274 noes, on Sir John Trelawney's proposition for abolishing Church Rates.—"The Speaker said that if it had been a previous stage of the bill his vote in accordance with custom would have been in favour of giving the House a further opportunity of considering it, but as it was a question of the third reading he would not take upon himself the responsibility of a measure so vitally affecting the law. He would therefore give his vote against the Bill."

what it is called on all sides a "monstrous paradox," has not been satisfied. By upholding that establishment such as Henry VIII. and Elizabeth had made it, the old Protestant party make use of it as a rampart to defend the English Establishment itself against the enemies who are daily becoming more numerous and more formidable.

The latter seem to have repudiated the learned tardiness of ancient strategy. By a bold manœuvre they will by the destruction of the Irish establishment give the death-blow to the whole State Church. Instead of losing time by carrying one after another the out-works, they are attempting to take the citadel itself by assault. That once in their hands the victory will be complete, and one of the greatest iniquities of modern times will have disappeared from the earth.

However it would be a great mistake to look upon the existence and endowment of the Irish establishment simply as a money question and a mere financial grievance.\* No doubt for a country already impoverished a tax of £600,000 more or less is a very serious consideration. But this tax is less crushing by its amount than by its nature. The Establishment in Ireland is hated, and scorned, more on account of the detestable influences of which it is the source, than on account of the scandalous amount of its revenues. Therefore it is that in order fully to understand the injustice done to Ireland by the forcible maintenance of the Protestant Church we must see in detail the continual uneasiness the irritation and the profound sufferings which that church engenders in Irish society.

## NOTE ON THE CONSTITUTION OF THE DISSENTING CHURCHES.

### I.—PRESBYTERIAN CHURCHES.

They are divided into *Congregations*, each of which is under the ecclesiastical government of a court composed of Ministers and Lay Elders. A certain number of Ministers and a number of Lay Elders corresponding to the number of Congregations form the *Presbytery*. Finally the delegates of the presbyteries—that is all the ministers, and an elder from each presbytery—form the *General Council*. This assembly is presided over by a *Moderator*, elected for a year. It manages the ecclesiastical matters of the congregations, and of the presbyteries under its jurisdiction. The first Presbyterian Council of Ireland was established at Carrickfergus in 1642, and gave birth to the Synod of Ulster. The Presbyterian Synod of Munster dates from 1660. The Presbyterian Council of Antrim separated from the Synod of Ulster in 1727; and the Synod of the Remonstrants separated from it in 1829. In 1780 a certain number of Dissenting Presbyterians formed themselves into the *Secession Synod*

\* "To treat the Established Church as a mere financial grievance is very idle."—(*Rambler*, March, 1860.)

of Ireland. In 1840 the General Synod and the Secession Synod, having united, took the name of the *General Assembly of the Presbyterian Church of Ireland*; which in 1856 comprised 510 Congregations, forming 37 Presbytery Councils. There are several other free Presbyterian churches, independent of this organization :\*

1° The *Reformed Presbyterian Synod of Ireland*, comprising 5 Presbyteral Councils, (of which one is for New Brunswick and Nova Scotia), and 37 Congregations.

2° The *Eastern Reformed Presbyterian Synod*; 2 Presbyteral Councils; 10 Congregations.

3° The *Remonstrant Synod of Ulster*; 3 Presbyteral Councils; 30 Congregations.

4° The *Presbytery of Antrim*; 11 Congregations.

5° The *Synod of Munster*; 4 Congregations.

6° The *United Associate Presbyterian Presbytery of Ireland*; 8 Congregations.

7° The *Secession Church in Ireland*; 2 Presbyterian Councils; 9 Congregations.

## 2.—METHODIST CHURCHES.

They were founded in 1739 by John Wesley. Several congregations united form a *Circuit*. Each circuit is usually under the direction of two Ministers. They are assisted by Lay-preachers, Leaders, and Prayer-leaders.

These laics meet weekly under the presidency of the Minister. The district is made up of several Circuits. All the districts are dependent upon the *Conference*, composed exclusively of Ministers, which meet annually to rule the general affairs of the Methodist Church. The Ministers of this church are *itinerant*; that is they must never remain three years in the same place.

The Methodist Church is divided into three chief branches :†

1°. The *Methodist Church*; comprising 9 districts, and 21 stations.

2°. The *Primitive Wesleyan Methodist Society*; 10 districts, and 19 stations.

3°. The *Wesleyan Methodist New Connexion Church*; 9 stations.

## THE ANABAPTIST CHURCH, (THE QUAKERS.)

Established in Dublin and in other parts of Ireland from 1650 to 1653. The Anabaptist Congregations had but little success, and made but few converts. The present congregations depend upon a society formed in London in 1814, which supports 24 pastors in Ireland. The number of churches belonging to this sect is 39.

Jews are scarce in Ireland; (266 in Leinster, 54 in Ulster, 1 in Munster, and 1 in Connaught; total 266.) They have but one Synagogue; in Dublin.‡

\* Thom's *Off. Direct.* 1862; pp. 671, 894-901.

† *Ib.*; pp. 671, and 902, 903.

‡ *Ib.*; pp. 673 and 1144.

## CHAPTER VI.

## THE BIBLE SOCIETIES.

FOR more than three centuries England has been endeavouring to make Ireland Protestant, and Ireland is still Catholic in spite of violence and seduction of every description. She supports indeed the strange and hostile church which is thrust upon her, but she obstinately refuses to accept its creed. If that church in return for her immense endowments would but do the Irish the very negative favour of not tormenting them in their faith; if that church could make up her mind to this stubborn resistance; if she would consent to squander in peace the yearly tribute levied upon a distressed people, and to respect convictions dearer to that people than life;—the Established Church in Ireland, ever indeed repugnant to common sense, would at least gain by losing somewhat of its odiousness. But the Irish people pay in vain; hitherto it has been able to buy neither peace nor respect for its belief.

Against this people something much in the shape of a standing conspiracy is constantly carried on, without truce or parley; an incessant warfare, and nearly always a dishonest warfare, to which every weapon is welcome, even those which honor scorns.

Were Ireland still pagan she could not possibly be to Bible Societies the object of a more furious zeal for the introduction of what they term “the light of the pure Gospel.” The more stubborn the resistance of *poper*y, the more desperate are the attacks of its adversaries; their attempts are a continual source of violent and ever-heated passion to the whole country; they form one of the greatest and most formidable obstacles to the desirable union of Irishmen of different creeds.

Upon opening Thom’s great *Official Directory*, for 1862, we find amidst numerous Societies for the conversion of Idolaters and Jews a much larger number whose exclusive object is the “evangelization” of Ireland. They are:

1°. The *Hibernian Bible Society*, established for the diffusion of a knowledge of Holy Scripture, without notes or commentaries. In fifty-four years, 1806-1860, this society published and distributed 2,932,589 bibles, at an expense of £79,403.\*

2°. The *Evangelical Alliance*, (*Irish Branch*.)

\* Thom ; 1862 ; p. 1150.

3°. The *Primitive Wesleyan Methodist Home Missionary Society*, "established for the propagation of the Gospel in Ireland." This society has divided Ireland into fifty districts, in each of which it supports a Minister.

4°. The *Hibernian Wesleyan Methodist Missionary Society*, for foreign missions and Ireland. This society has in Ireland 24 missionaries, 237 school-masters, and a certain number of unpaid agents. The amount of subscriptions received by the society in 1860 was £140,678.\*

5°. The *Irish Congregational Home Mission*, "for promoting the evangelization of Ireland by the agency of missionary ministers, scripture readers, schools, &c."

6°. The *Scriptural Readers' Society for Ireland*; established in 1822 to send persons "to read the Scriptures among the poor."

7°. The *Incorporated Society for the promotion and establishment of Protestant Schools in Ireland*, under the presidency of the Archbishop of Dublin.

8°. The *Church Education Society for Ireland*, under the presidency of the Archbishop Primate of Armagh and several other bishops of the Anglican Church, to afford children primary instruction together with a knowledge of the Scriptures; it receives indiscriminately into its schools children of every religious denomination.†

9°. The *Sunday School Society for Ireland*, established in 1809. In fifty-one years (1809-1860) this society has distributed in Ireland 1,584,481 Bibles or portions of the Bible. It supports 2,705 schools, attended by 233,390 children, and conducted by 21,302 masters, who teach gratuitously on Sundays.

10°. Sunday and Day Schools, established in 1786, "especially for supplying the children of the Dublin poor with a sound scriptural education."‡

11°. The *Irish Trinitarian Bible Society*, established in 1837, for the gratuitous distribution of the Scriptures by means of colporteurs.

12°. The *Irish Society*, established in 1818, to instruct in religion and in the knowledge of the Bible chiefly through the medium of the Irish language.§

13°. The *Ladies' Irish Association*, having in view the same object as the preceding one, for women.

\* The total number of Missionaries employed by this Society, the headquarters of which are at London, is 15,329, (Thom; 1862; p. 1151.)

† Thom, 1862; p. 1152.

‡ *Ib.* p. 1154.

§ "For promoting the scriptural education and religious instruction of Irish Roman Catholics, chiefly through the medium of their own language." (*Ib. Id.* p. 1154.)

14°. *The Charitable Protestant Orphan Union*, the object of which is to bring up as Protestants children born of mixed marriages.\*

We do not include in this list, already long enough, the other orphanage or refuge societies, whose express object is not exactly to bring up as Protestants poor Catholic children, but whose efforts are chiefly directed to making charity a means of proselytism and of Protestant propagandism.†

Even mistaken zeal in the cause of error may be respectable, if it be both sincere and honest. Unfortunately the Bible Societies, however, are not over scrupulous in the choice of means. Intimidation or money are the usual "arguments" put by them to Catholic consciences. Thus under the cloak of liberty and tolerance is carried on a persecution less violent but not less perfidious than that of past ages.

Listen to the cry of alarm that came ten years ago from an assembly of Irish Catholics presided over by Dr. Cullen, then Primate and Archbishop of Armagh. These are the Resolutions unanimously voted by the Catholic Defence Association:

1st. That there exists a systematic plan for proselytising the Catholic poor of Ireland, either by corruption or intimidation.

2ndly. That besides the enormous wealth at the disposal of the Anglican Church in Ireland, money is sought for this end from Protestants of every rank in the British Empire.

3rdly. That this system of proselytism is especially in force in those districts where the sufferings of the poor are greatest.‡

This grave accusation was no calumny. It is a notorious fact that during the Famine of 1847 Protestant places of worship were the ordinary places in which the most indispensable aid was given to the poor.

Hence the significant and proverbial name of the *Soup-System* given in Ireland to these contemptible shifts of religious zeal. To appeal to destitution in order to corrupt its victim; to wring from the soul a cowardly apostasy by turning to account the cravings of the body; to solicit unfortunate mothers to sacrifice the eternal interests of their children for a morsel of bread; in

\* "The object of this society is to provide for orphans, who having had only one Protestant parent are ineligible for the Protestant Orphan Society." This it is, in fact, which distinguishes this association from the Protestant Orphan Society, which states in its Rules (such is at least its *theory*) that it receives no children but those born of Protestant parents: "No child is taken under the protection of the society either of whose parents at the time of his or her decease was a Roman Catholic, or whose surviving parent is a Roman Catholic."—(*Ib.* p. 1156).

† See third annual report of the Catholic Orphanage of St. Brigid; in which, at page 17, will be found a list of the different Societies whose special end it is to bring up poor Catholic children as Protestants.

‡ Battersby's *Cath. Direct.*, 1853; p. 315.

a word to trade for the sacred rights of truth conscience and faith, just as in the hard and evil ages of persecution the terrible price of their preservation was torture, the rack, and molten lead; such is the contemptible oppression still exercised at the present day upon the Catholic poor of Ireland! To stigmatize it there are no words sufficiently strong; but we may without pity expose the ignominy and the scandal of it,—for, thank God! there is not a single sincere and upright Protestant who is not afflicted at the employment of such means, and deeply humiliated by this cowardly persecution.\*

Speaking of this system, a Dublin journal made use of these energetic words: “It is only those profoundly gifted persons that have been enabled to see how a present of a pair of shoes to a barefooted Irishman can awaken doubts in his mind as to the infallibility of the Catholic Church, how a dogma can be overthrown by a frieze coat, and the authority of a Council disproved by three yards and a half of flannel.”†

What likelihood is there that a people victorious over three centuries of persecution, exile, confiscation, and death, will so cheaply betray the faith for which it has suffered so much? There may be a defection or two, here and there, momentary apostacies, conversions to the Anglican Church more apparent than real,—but in spite of the vast sums spent in printing several millions of bibles, and in the support of these legions of missionaries schoolmasters and scripture readers, protestantism is exhausting itself in vain: it makes no converts.‡

\* See in particular a letter written by a Protestant, and published in the *Dublin News*, July 30, 1861; and another letter published in the *Cork Examiner*, in July, 1862, signed Thomas Biggs, LL.D.

† *Nation*; March 3rd, 1860; “The Soup System.”

‡ See in the *Dublin Review* of June 1857, a very interesting article on “*Soup-erism tested by its own statistics.*” It is a summary of the operations of the Hibernian Missionary Society for the year 1856. In King’s County and Queen’s County the Society distributed, during this year 28,175 prospectuses; posted 1,190 bills; and distributed 500 controversial tracts; and at Cork it had 35 sermons, and 83 public lectures given; not to count all the other works of zeal in the rest of Ireland. The total number of *adult* converts reported for the year 1856 was *twenty-one*. The tone of sad resignation of some of the reports sent by the missionaries is singularly instructive. In one of these written from Kilkenny we find it stated that: Although the number of conversions is inconsiderable, still a spirit of inquiry is gaining ground among the people, which will one day be attended, I am convinced, with important results!—We have got (the writer adds) a large number of bills posted, and distributed quantities of prospectuses, and although our bills have been frequently daubed over with mud or torn, there were crowds to read them, and the peasants to whom prospectuses were given on fair or market days put them into their pockets. The Galway Missionary has not even the consolation to be able to announce results as decisive as these: The indifference of the people with regard to searching after the truth is really discouraging, (he says); it is doubtless to be ascribed to the powerful influence of Rome in a country where there are 25 Romanists to 1 Protestant!

In vain did the most ardent members of the Hibernian Missionary Society affect in their last general meetings to tell of the progress of the pure gospel and the reformation; in vain have they multiplied both in England and America their appeals to subscribers, in order to give the finish to the work of Ireland's regeneration.\* Enlightened Protestants know what to think of these lying rhodomontades. They openly declare that whether justly or unjustly the scripture readers and every thing reminding them either immediately or remotely of the Church of Henry VIII. and Elizabeth are bitterly hated by the Catholic peasantry.†

Although nearly powerless for the conversion of adults, the Bible Societies are unfortunately not so in the case of children. Not only do they covet and grasp at orphans or children born in mixed marriages, but they persuade short-sighted or weak parents to entrust their children to them, put them out to Protestant nurses, and by this means succeed in bringing them up Protestants.‡

In the space of a century and a half an establishment founded in 1704 and closed in 1835, the Foundling Hospital, practised this system of proselytism on the largest scale. The average number of children annually brought up in this house was 7,000. It has been calculated that in 131 years this hospital perverted 56,000 Catholic children.§

In 1848, two Protestant ministers travelling in Connemara, and finding everywhere famine orphans, established two orphanages; one at Ballyconree, the other at Clifden; one for boys, the other for girls. In nine years *two hundred and ninety-four* Catholic children were perverted in these two houses. "Not one of them," said a report of the Protestant Society, "has gone back to the false religion they have been rescued from."||

From 1830 to 1850 about 24 Protestant Orphan Societies were established in different parts of Ireland, and during

\* "These deputations go over to England and America, begging for money to put the final finish to the nearly completed work of Ireland's regeneration."—(Letter of a Protestant in the *Cork Examiner*, February 1862).

† At the last meeting of the Society in the Rotundo, just before the Census Returns came out, the nobleman who occupied the chair made the statement that it was a mistake to imagine that Ireland was any longer a Catholic country, [!] that the scale was now turned, and on the publication of the Census it would be found that the majority were Protestants." [!!!]—(*ib.*)

‡ "The Scripture Readers are bitterly hated by the Catholic peasantry, and thoroughly despised by the intelligent country peasants."—(Same letter.)

§ Meeting at St. Brigid's Orphanage; January 16, 1857.—Address drawn up by Canon M'Cabe and Rev. W. Purcell; (*Catholic Directory*, 1858, p. 209.)

|| *Id. ib.*

¶ Quoted in the third annual report of the St. Brigid's Orphanage; (p. 18.)



twenty years they have brought up more than 3,000 Catholic children in heresy.\*

Mixed marriages facilitate the entrance of the agents of this occult proselytism into families, and allow them to purchase at a low rate children who have received Catholic baptism. Destitution, despair, and the sufferings of their children,—all contribute to tempt these unfortunate people, and to embolden the Bible Societies in their dishonest manœuvres.†

Now, how is it possible that such perfidious attacks should not wound in its most sensitive part the heart of the Irish people? Cannot the poor peasant be ever allowed rest in his miserable cabin? Must he then have to endure the repeated visits of Scripture Readers, and see himself besieged without help with proposals to send his children to the Protestant school?

How can we be surprised if much bitterness struggles up to the surface of that simple and believing soul? Protestantism has tortured his darling Ireland to such an extent!—has shed so much blood!—has piled up such heaps of ruins there!—has involved all the country in such lamentable misery! Besides, even supposing he could forget past grievances, are not these daily renewed provocations, insulting challenges, mortal insults, ever opening afresh the half-closed wounds and poisoning the still unhealed sores of his distracted country?

At one time he hears his faith denounced as “*damnable and idolatrous*”; the priest, his pastor and truest friend, called a “*surpliced ruffian*”; and his Catholic brethren “*a filthy and felonious rabble*.”‡

At another, he reads on the walls of his village, near the humble chapel where he hears Mass, bills announcing that on a certain day at such a place the question “whether the Pope is not the man of sin,” will be discussed; or “if it be true that Archbishop Cullen got three Irishmen of the Pope’s Brigade out of purgatory;” or finally if “Roman Catholics are not idolaters.”§

\* “Having trained in heresy, and settled in life, 3,292 children.”—(S. Brigid’s Orph. : 3rd Ann. Rep. p. 18.)

† See the *Pastoral of the Archbishop of Dublin*, on the dangers to which the faith of Catholic children is exposed; May 24th, 1860. See also the Report of the Meeting of the Ladies’ Society of St. Brigid’s Orphanage; Nov. 20, 1860.

‡ This is the usual style adopted by the old Protestant party, and frequently that of the manifestoes published and distributed by the Bible Societies.

§ Subjects of discussions, and public lectures given by the Hibernian Missionary Society, at Rath-row, Dublin: “Roman Catholic friends are affectionately invited to attend.” [!!!].—(Quoted in the *Rambler* for March, 1861.)

There is in London a Museum established by the *Protestant Foreign Missionary Society*; (Bloomfield-street, Finsbury). There is in this museum a very curious collection of idols sent over from India, of which many are of the most

At other times it is a dignitary of the Protestant Church who invites the Catholics of the parish to come and hear him prove "that the modern Church of Rome is the mother of harlots and abominations of the earth!"\*

Even this is not all, and the Catholic peasant is well aware that Protestant hatred of the Catholic religion does not stop at these vulgar provocations. Has he never heard of a friend or relation who having fallen ill, and been taken to one of the Dublin hospitals, was unable notwithstanding his earnest entreaties to obtain the consolation of a visit from and the assistance of a Catholic priest?

Did not all Ireland but lately resound with the cry of public indignation at those acts of abominable intolerance, which coldly added to sickness and death unspeakable anguish, and inflicted upon conscience the most odious of tortures?

But it is not Catholic Ireland alone which has strongly denounced a fanaticism supposed to be the sorry privilege of Sweden or of Russia.† France, it is well known, has had to interfere in one of these cases, in the person of her official representative at Dublin, because the Protestant authorities of the "Adelaide Hospital"‡ stubbornly refused to authorize a French Catholic, ill in that hospital, to receive the consolations of his religion.§

There is one province in Ireland, in which especially the

obscene description. Would any one believe that in the midst of these filthy images the proprietors have dared to place a statue of the Blessed Virgin, holding in her arms the Infant Jesus!—(Mentioned by the Archbishop of Dublin, in a Pastoral of the 5th of August, 1861.)

\* The Rev. Ch. Seymour, provost and vicar of Tuam, in a placard addressed to his Roman Catholic parishioners!—(*Weekly Telegraph*, Jan. 3, 1862.)

† On the situation of Catholics in Sweden, see pamphlet published by l'Abbé Cognat, *La Suedeliberale devant l'Europe*; (Paris, Dentu, 1862.)—As to Russia, see the works of Fathers Theiner and Lescœur.

‡ "The Adelaide Hospital, Peter-street," under the patronage of the Earl of Roden, president of several Bible Societies.

§ Affair of Henry Roebet; (see Dublin papers of February, 1860.) In this sad case fanaticism came off victorious. The administrators of the Adelaide Hospital clung to their fundamental rules with unshaken firmness. These rules forbade the entrance of a minister of the Catholic religion into the hospital. The interference of M. de Burggraff, the French Consul at Dublin, had no other effect than that of getting the French patient transported to St. Vincent's Hospital, Stephen's-green; where, in accordance with his desires, he was able to see a priest and to receive the sacraments.

A few months subsequently (June 1861), a veteran of the English army, ill at the Royal Hibernian Military School, and desirous of abjuring Protestantism previously to appearing before his God, was coldly hindered by the Protestant military authorities from putting his design into execution. After having spent his life in the service of England, this poor soldier was not allowed to die in the religion of his choice. He was refused what the Emperor of China does not always refuse the Christians whom he sends to death, namely the consolation of seeing a priest.—(Affair of James Harrison; see Dublin newspapers and the Debates in the House of Commons during the month of June 1861.)

flame of religious hatred is perpetually fanned by the breath of the most violent passions. In every other quarter the progress of ideas is beginning to establish between Catholics and Protestants relations grounded upon tolerance, charity, and respect for each other's rights. The Protestants of Munster and Connacht, scattered in small numbers amidst the mass of Catholics, do not see their temples periodically insulted nor their persons endangered. The feasts of SS. Patrick and Malachy are not necessarily days of peril and terror to them.

In Ulster the case is widely different. Protestants and Catholics there still hold a defiant and hostile attitude towards one another. This is the quarter from which issue the most wounding insults to the belief of the majority of the Irish people. Time seems there not to have levelled a single prejudice; and one would say that this spot persists in remaining a stranger to the progress made in every other quarter.

The stubbornness of this retrograde spirit may be unhesitatingly ascribed to the existence of Orange Lodges, the organization and tendencies of which accordingly here require to be fully and clearly set forth.

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## CHAPTER VII.

### ORANGEISM.

THE first secret association called that of the *Orangemen*, from William III., was established in 1798. It was formed chiefly with a view to counterbalance the concessions made to Catholics from 1776 to 1795.

The Orange Association was reorganized at different periods in 1800, 1814, 1824, 1828, and 1834. It was officially dissolved in 1835; and it was re-established with certain modifications in 1845. It makes it a point of honor to preserve intact the traditions of Protestant supremacy which have survived two centuries. Its programme is the radical and openly expressed negation of the civil and political rights of Catholics. As it has consecrated the name of a man who was, in its eyes, the personification of the most vigorous and valiant Protestantism, so it has consecrated but one date. For the rest of the world time rolls on; the Orangeman lives in 1688. This date is not merely a kind of motto for all party manifestoes; it is

the key to a whole system. This happy year is as it were the golden age of Protestantism; it is the ideal to which, nolens volens, ideas institutions and men must be brought back. 1688 means the triumph of the ideas of the reformation; it is the corner-stone of the much-regretted edifice of the penal laws; it is the only safeguard of the English crown against the dark machinations of "popery." Shame upon and woe to the weak and short-sighted ministers who have suffered these strong traditions to be borne down, and have basely paltered with error by recognizing the right of Catholics to anything else than defeat spoliation and proscription! Catholics have been emancipated; the ranks of civil society have been opened to them; hence all the troubles of modern times! The British Empire will never recover the fulness of its strength until faithful to the memory of the great king it shall unfurl the Orange banner and engrave on its escutcheon the immortal date 1688, the only pledge of the integrity of the faith, and of peace to the domestic hearth!\*

In 1835, it was estimated by high dignitaries of the Association that its members numbered no less than 200,000.†

As to the spirit of the association, and the standing danger it is to the Catholics, we can form some idea from certain revelations taken from the most authentic documents. M. Duvergier de Hauranne quotes the following toast current at Orange banquets: "May their limbs," (Catholics) "be torn into a thousand shreds, and each one of these shreds serve as a nail in the shoe of an old woman."‡

These are savage imprecations, to which it would be absurd to attach any importance were they not the faithful echo of the oath taken by the initiated on their entrance into the society, at least during the first flush of its fervour.§

Since their late organization, (1845) Orange lodges, we trust, do not oblige their members to enter into these homicidal engagements; these terrible formulæ have doubtless dis-

\* Several Ulster Orange journals have, at the head of their columns, either a picture of William III. crossing the Boyne on horseback, or of Walker's column at Londonderry, with a banner bearing the date 1688, and the motto, "Our faith and our firesides."

† Answer of the Chief Secretary of the Grand Lodge of Ireland to a Committee of the House of Commons, June 1835.—(Report on Orange Lodges, p. 88.) The same dignitary added: "I know that we are on the increase a good deal."

‡ Duvergier de Hauranne, *Lettres sur l'Irlande*, p. 191.

§ Plowden gives the following form of this oath: "I, A.B., do swear that I will be true to king and government, and that I will exterminate the Catholics of Ireland, as far as lies in my power."—(Plowden; *Historical Disquisition on the Orange Societies in Ireland*; p. 54.)

There is an Orange dictum: "The worst Protestant is better than the best Papist!"

appeared even from the secret\*articles themselves. But is the hatred, we do not say of Catholicism but of Catholics, any the less strong in the hearts of the Orangemen? Are these Catholics looked upon as anything else than wild and dangerous idolaters, of whom Ireland must be freed, and to live peaceably and on good terms with whom is a crime?

"The Orangemen," said lately a Protestant writer, "is the same unchanged sanguinary creature, a despiser of the laws, a lover of turbulence, hating his fellow-countrymen with the old traditional hate, and as ready as ever on the slightest occasion to seize his gun and shoot down unoffending men, women, and children. . . . It is time to excise this loathsome ulcer in the social body. The Orange institution should be declared an enemy to public order."\*

The actual principles of this Association are, then, identical with those of the former:

A Protestant king,—a Protestant parliament,—a Protestant hierarchy,—Protestant electors and government,—the benches of justice, the army and revenue, through all their branches and details, Protestant.† Such is the constitution of Ireland as understood by the Orangemen; and if they take up arms, it is not they say to attack but to preserve these principles and to secure them from Catholic aggression!

In 1857, the Lord Chancellor of Ireland, Mr. Maziere Brady, desirous of giving the death-stroke to this dangerous association, informed the Lieutenant of the County Down that he would refuse the Commission of Justices of the Peace to all members of Orange Lodges.

This was the signal for a great outburst of feeling; and in the month of February 1858 a petition against the Lord Chancellor's proceeding was presented to Lord Palmerston by a deputation of peers and members of parliament on the part of the Ulster Lodges.‡ This petition bore 2,700 signatures; amongst which were those of 32 Peers, 38 Members of Parliament, 17 Baronets, 641 Justices of the Peace, 162 Deputy Lieutenants of counties, and 377 Protestant Ministers!

The details of the interview are very instructive, and throw much light upon the character of Orangeism in the present day.

\* Quoted by Dr. R. R. Madden, in his Notice on *Orangeism*, appended to the last vol. of his *Lives of the United Irishmen*; (last edition, p. 54.)

† See "*Laws and Ordinances of the Loyal Orange Institution of Ireland*, as revised and adopted by the Grand Lodge of Ireland, assembled at Monaghan in May, 1849; printed by Bull, Dublin, 1849."

‡ The chief members of the deputation were the Earls of Enniskillen and Belmore, Lord Claude Hamilton, Messrs. Vance, Corry, G. A. Hamilton, Richardson, Miller, Davison, Archdall, Cairns, and Whiteside: (The last ten were members of parliament.)

Lord Palmerston having observed that: "Not being an Orangeman himself he was at a loss to understand the use of the association in the present age;"—the Earl of Enniskillen replied: "Self-defence, my Lord!"\*

This was a rather clear declaration that Orangemen, especially since 1829, consider or pretend to consider themselves menaced not only in their rights but also in their property and their lives; and that having everything to fear from Catholics, they are by the very fact authorised to dare everything against them.

The conduct of the government on this occasion was wanting in decision and energy. Convinced as were both the one and the other of the standing danger to public peace and the insuperable obstacle to conciliation between the Protestants and Catholics of Ireland presented by Orange lodges, Lord Palmerston and after him Lord Derby† might have gone so far as to risk for a moment their popularity in order to free Ireland from this scourge. But Orangemen are numerous; they have influence; and their support is frequently serviceable to government in elections, to counterbalance Catholic influence. Government therefore contented itself with blaming the spirit of Orangeism; but it did not dare to lay its hand upon that formidable association itself. The Lord Chancellor's energetic measure was not supported, and Orangeism gained a victory. Even the grievous disorders of which Belfast had been the theatre in 1857 did not determine the authorities to suppress an association of which no one but its members understood the use.

Consequently even to the present day the riotous and dangerous manifestations made use of by Orange fanaticism to intimidate the Catholics of Ulster are periodically renewed.

The anniversaries more particularly solemnized by the lodges are the 12th of July, and the 12th of August. The former date is that of the battle of Aughrim, and the victory of the Williamites over the Jacobite army; the second is that of the raising of the siege of Derry.

On these days, specially dear to the members of the Orange Association, the Lodges meet, the colours of William are unfurled, the most stinging and insulting songs are shouted into the ears of the Catholics until late at night, and armed bands prowl about the streets of the cities and villages of Ulster,

\* Dr. Madden; *The Orange Regime in Ireland*; p. 18.

† The Earl of Eglinton, Lord Lieutenant of Ireland, under Lord Derby, looked upon Orange Lodges in exactly the same way as Lord Palmerston: "He was of opinion that no matter what may have been the advantages of the society formerly, upon the whole the organization of the Orange Association was rather a misery than a benefit to Ireland."

shrieking out: "No Popery!" "To Hell with the Pope!" and "Hurrah for King William!" If there happens to be a Catholic Chapel on the road, stones are thrown at the cross which surmounts it; and if the Catholics make any show of resistance they are fired upon without scruple. How could the shades of William of Orange and Walker be better honored than by spilling the blood of a few Papists?

Thus on the 12th of July, 1860, at Derrymacash, a little village in the County Armagh, a band of Orangemen fired upon a group of Catholics and mortally wounded two young men.\*

A month later in Derry, all the lodges of the town and the "*Apprentice Boys*" were on foot to celebrate the Raising of the Siege. A sermon had been preached to them, in order to animate them "not to forget the glorious deeds of their forefathers, or to neglect to celebrate them in a christian and becoming manner."†

In vain had Dr. Higgin, the Protestant Bishop of Derry, taken the greatest precautions to prevent scenes of disorder, and had forbidden the hoisting of any orange banners upon the cathedral. The "*Brothers*," considering themselves wronged, replaced by violence the flags which the courageous bishop had ordered to be taken down; and the police not daring to interfere, the colours of William with the menacing date 1688 continued to wave over the church.‡

On the same day in Enniskillen bands paraded the streets, shouting "No Popery," and rang the bells furiously until midnight "in honour of the great and glorious revolution of 1688!"§

Parliament, moved by these bloody disturbances, voted almost immediately *The Party Emblems Act*; the Bill being at once brought in by Government. This Act forbade all public party processions, and the carrying of any partizan political or religious emblem. The terms in which the bill was couched do not affect Orange Lodges in particular; they apply equally to the processions in which Catholics carry crosses and banners, and to the Ulster processions of the 12th of July.§ However it

\* Thomas Murphy, and Charles MacCann.—(See details in the report of the Derrymacash Trials; March, 1861.)

† Sermon by the Rev. Rich. Smyth!

‡ A few days afterwards, the "*Apprentice Boys*" wrote a letter to the Bishop to inform him "that they had never been interrupted in the observance of this ancient and cherished civic custom." (See also in the *Northern Whig*, Jan., 1862, some account of the outrages offered by the Derry Orangemen to Mr. Dawson, M.P., because in the month of July preceding he had strongly condemned the Ulster lodges and held them responsible for the massacre of Derrymacash.)

§ For this among other reasons several Irish Catholic members voted against the bill.

must be admitted that the cabinet in submitting this law to Parliament, and Parliament in passing it, had specially in view the prohibition of the processions of the Orange party.

Will this law suffice to prevent the recurrence of these bloody collisions? Will it extinguish the furious hatred which arms Protestants against Catholics in the north of Ireland? Or will not the orange lodges, whose existence and organization have been spared, rather consider themselves authorized to serve the Protestant Government of Great Britain after their own fashion, and, as they say, "protect" it against Catholic influence?

Recent events warrant us in calling in question the efficacy of the *Party Emblems Act*, and seem to us to shew that the Orange party is determined not to renounce its "*cherished civic customs*."<sup>\*</sup>

The hierarchy of the Irish Establishment is undoubtedly guiltless of these disorders. Orangemen alone are to be taken to task for their incorrigible prejudices and blind resentment against Catholics. Besides, the *Presbyterians* of Ulster have a large share in the perpetuation of this sectarian spirit, and of these antipathies, against which time is so powerless.

But if the publicist owes it to truth to draw these distinctions, how is the mass of the Irish nation to make them? Is it not for them, on the contrary, natural and even logical to confound in one common resentment and one common contempt their persecutors of every description;—both those who fatten in idleness upon the tithe rent-charge; those whose fierce zeal menaces the faith of their children; and especially those who let slip no opportunity of reminding Irish Catholics of the scandalous persecutions of the past, and sport with the lives of papists in honour of William the Third and 1688?

The Catholic peasant, and he is right, attributes all this to the influence of Protestantism upon the destinies of the country. Whatever be the kind of oppression under which he suffers, he is perfectly right in considering as the prime cause of all his misfortunes that fatal antagonism of religions, of which Ireland, after three centuries, still continues to be the victim.

This is, according to the general opinion, the root of the evil; and so long as that root shall not have been destroyed, it is idle to hope for the peace of Ireland, or the prosperity of her people.

\* Even in July, 1861, an Orange procession of from six to seven thousand men was seen in the neighbourhood of Lisburn. It was headed by a fife and drum band; carried Orange flags; and sang songs of a kind the most hostile to the Catholics.



## CONCLUSION.

### I.

It is time now to sum up and conclude.

We have attempted to lay open all the grievances of Ireland: not those of the last century; not those of the last quarter of a century; but those under which she is actually suffering to-day.

We asked at the beginning of this work whether traces of past oppression were not still to be met with in that country?—whether the concessions made since 1829 were a sufficient reparation of three hundred years of persecution?—whether by having restored to Catholics the quality of citizens, and the enjoyment of political rights, England had fully paid her debt of justice?—whether, in other words, she had accomplished her whole duty?

We have attempted to answer all these questions, chiefly by the help of English Protestant documents. We could have devised no better means for keeping within the limits of that strict impartiality which our sacerdotal character and the interests of the Irish cause rendered imperatively necessary.

We believe we have not made against the English policy in Ireland a single grave reproach which we have not found expressed by some English publicist; nor pointed out a single grievance which has not been previously handled, with much more nerve, by statesmen and journalists the most devoted to Protestantism and British interests.

An appeal to their evidence has, in our case, a double advantage: in the first place our judgments are thereby supported by incontestible authority; and in the second, it proves that it is possible to blame the English government, to lay one's finger upon its vices and iniquities, without therefore necessarily being an enemy of the political, the religious, and the civil liberty, which are the glory of England, and to which more than one other nation would do well to offer a home.

It is in the name of this very liberty, which we confess we also hold in singular esteem, that we have considered ourselves entitled to take England to task for her present Irish policy.

It appeared to us unbecoming in a great nation to make so light of logic and right, and to hesitate still in a work of reparation demanded so loudly by justice, humanity, and honor. Since the

Act of 1829 has levelled political inequality grounded upon difference of race or creed,—since in the eyes of the law the descendant of the old Gaëlic stock, and the grandchildren of Cromwell's troopers, the Anglican of Henry the Eighth's church, and the Celt, true to the creed of St. Patrick, are to enjoy the same rights, share in the same guarantees, and be, in the name of the constitution, brothers and fellow-citizens,—why so much delay in the application of this great principle? why so many inequalities, rendering illusory equality of right? why, thirty years after the passing of that act, such deep distinctions, in England and Ireland, between Protestants and Catholics?—why is the old regime so tenacious, and why does it so stubbornly oppose the spirit of tolerance liberty and justice?

Is this worthy of a Christian and a free nation?

Is this logical on the part of a government which has always on its tongue the most high sounding maxims of right and equity for the instruction both of monarchs and people?

What! you are fired with indignation at the Austrian preponderance in Italy; and you uphold in Ireland, notwithstanding her constant complaints, a preponderance not simply English but Protestant!

You grossly outrage the Sovereign Pontiff, you loudly declare his government to be *bad* and *tyrannical*,\* and you pay no attention to those standing abuses, that administrative tyranny, of which the lawful representatives of the Irish nation have for thirty years been complaining in vain!

Have you received a universal mission for the redressing of all wrongs, and for effecting political and social reforms over the whole world?

If so, begin with Ireland; you have much to do there; *messis multa*. It would become you to do away with “that contrast between theory and practice, both in your home and foreign policy, in the past and in the present,”† which makes you a laughing-stock to the nations.

We repeat it, take no notice if you will of the interested complaints of Irishmen, nor of the questionable evidence of Catholic and French sympathy. Listen only to your own ministers, your own orators, and your own economists; for “your glory and your strength, (as was said by a great voice, and we heartily concur in the opinion,) your glory and your strength is to be able to hear the truth;—it is to tell the truth

\* Lord Palmerston, quoted by Count Montalembert, in his article entitled: *Pius IX., et Lord Palmerston*.—(Œuvres Complètes; vol. v. p. 503, 506, 495.) In the House of Commons, on the 12th of April, 1862, Lord Palmerston accused the Pope of “*sanctioning atrocities!*”

† Montalembert; *ubi sup.*

to yourselves;—it is to give full and entire liberty to criticism, to condemn it to no disguise, and not to condemn truth and justice to be announced to you only by way of allusion.”\*

With what then do those English statesmen and publicists whose evidence we have collected reproach England’s policy in Ireland?

They reproach it: with treating Irishmen less favourably than foreigners, (Lord Macaulay);†

With having for both countries laws, theoretically identical, but essentially different in practice, (Lord John Russell);‡

With violating the promises made, and the engagements entered into, at the time of the Union, (Lord John Russell);§

With subjecting a Catholic country to the influence of a supreme administration at the present day, as in 1817, exclusively Protestant, (the late Sir Robert Peel);||

With renewing in 1860 the dishonest practice of *jury-packing*, which implies suspicion of three-fourths of the Irish nation, and perpetuates an insulting inequality in regard of Catholics, (Lord Brougham; Lord John Russell; Lord Macaulay; Lord Denman);¶

With protracting down to 1862 the regime of exceptional measures, which ought, according to Earl Grey, to have been abolished in 1843; and with forgetting that in order to repair past evils, and the profound wounds inflicted by bad government, it is more urgent to do justice to Ireland than to treat her to martial law, (Earl Grey);\*\*

Of what do Irishmen still complain?

Of having a system of landed property unique in Europe, of which each detail would seem to have been invented for the purpose of perpetuating between two classes a fatal antagonism, of imposing extraordinary privations upon the agricultural classes, and of being a standing cause of destitution and disaffection to the whole country. In 1860, it is true, an attempt was made to cure this deep and festering social wound; but the most impartial and disinterested men state that the remedy adopted is powerless to cure anything; and in fact, the same abuses which occurred before its application still occur after it,—the same scenes of desolation are renewed,—Ireland still continues to be the theatre of the same heart-rending and well-known scenes,—regiments still are armed to drive out the poor peasantry,—cabins still fall under the crow-bar,—families are still thrown out on the high road, to beg or emigrate or die!

\* Count de Montalembert; *ib. id.*; p. 502.

† *Ante, ib.*

‡ *Ante, p. 33.*

¶ *Ante, pp. 32, 33, 36.*

\*\* *Ante, p. 69.*

† *Ante, p. 23.*

|| *Ante, p. 5.*

And all these things are done *in the name of the law!*

But at the same time high judges are heard to own with grief that "*they are obliged to administer injustice;*"\* and English Protestant journals cannot find terms strong enough to stigmatize the proprietors in whose name and by whose authority these terrible evictions are effected. They accuse them of exercising their rights with a hand of iron, and of neglecting their duties with a forehead of brass, (*Times*)†. They call these evictions of 1860 and 1861, *a hideous scandal*, (*Times*)‡; they are astounded at the perpetration under the rule of England, within twenty-four hours of the royal palace, of scenes which would not be tolerated in India or New Zealand, (*Morning Star*)§. And they demand, in the name of civilization and Christianity, the destruction of a tyranny big with the worst memories of feudalism.||

The more temperate language of politicians and economists confirms those strong charges of the press. The historian Alison,—the publicists Cochrane, Kay, Stuart Mill, and Cobden,—Mr. Bright as well as the members of the Devon Commission,—Lords Grey, Derby, and Palmerston,—all are unanimous in demanding for Ireland radical changes of policy, an order of things which will induce the cultivator to remain in Ireland instead of swelling the tide of emigration, an order of things in which the labourer may be able to live by his toil, and in which, a sound prosperity being restored, decrease of population shall no longer be the standard of agricultural, industrial, and social progress in Ireland.¶

Is the injustice done to Ireland by the present administration of the Poor Law and by the "National Education" system any thing less evident?

To answer this question it is neither necessary to be an Englishmen nor an Irishman, a Catholic nor a Protestant; it suffices to have a little common sense, and uprightness of mind. So long as the Poor Law system shall remain unchanged, Ireland will complain; and Ireland will be in the right to do so. What would Englishmen say if three Irish Catholics were sent over to England to administer a system of legal charity, giving relief to more than eight hundred thousand Protestants, to govern Workhouses, to dictate laws to Anglican Chaplains, and to interfere between those chaplains and their Bishops? Such a system would not stand in England twenty-four hours. Why has it stood in Ireland, then, for nearly four and twenty years?

\* *Ante*, p. 103.

† *Ante*, p. 87.

‡ *Ante*, p. 133.

§ *Ante*, pp. 200-201.

|| *Ante*, p. 201.

¶ *Ante*, pp. 287 ; 124, 125, 126 ; 267 ; 169, 170, 171, 173.

We confidently appeal to the people of England. Is not this supremely unbecoming, and supremely iniquitous?

The "National Education" system is at the present moment the subject of the most energetic complaints on the part of the episcopacy and the representatives of Ireland. Even the least bold among them demand a return to the system of 1831; while others demand for Ireland the same privileges that are enjoyed by the Catholics of England and the Colonies. And can anything be more moderate, or more reasonable? The Catholics of Ireland are, under the "Constitution," on an equality with Protestants; *à fortiori* are they on an equality with the Catholics of England, Canada, and Australia. If they claim the benefits of this equality, are they therefore revolutionists? Are you acting with common justice in refusing them those advantages?

In fine, you declare by the voice of your most illustrious and disinterested citizens that the existence of a Protestant State Church in Ireland is a piece of absurd intolerance. You speak of it much in the same way as we French speak of the Ottoman empire; you have one and all been saying for the last twenty-five years that such an abuse cannot and must not last,—that a church with far less than a million of children, and rather over a million of income is a wild paradox!—and that an income of rather more than a million, of which better than three-fourths are paid by the Catholic portion of the Irish population to Protestant Bishops and Ministers, is a folly and a scandal; and you look upon it as a murderous outrage upon common sense and common justice!

And still, despite of all your protestations that such an immoral paradox cannot and must not be suffered to continue, it does continue; and the last third of the nineteenth century still perpetuates the spoliation and violence of the sixteenth!

How much longer will you countenance this scandal? You have abolished the Slave trade, you have decreed the Emancipation of Catholics; when will you decree the abolition of the Anglican Church in Ireland, make justice a matter of practice and not of theory, and do it at home before taking upon yourselves to do it abroad?

So long as such urgent reforms so long solicited are withheld, no one can be astonished if Ireland, clinging to the memories of her past, demands her autonomy, or at least her Legislative Independence.

We do not mean to say that at any time has she ever renounced her nationality;—she has always vindicated it by her complaints and protests where she has been powerless to do so in arms; nor that having during seven hundred years stoutly

refused to become English, she has not put prescription out of the question, for in strict law her unceasing protests have preserved intact her title to Independence; nor lastly do we need to observe that according to the admission of Englishmen themselves the Union of 1800 having been accomplished by "the lowest and most contemptible of means,"\* a legislative and administrative separation might be for Ireland but that which England has more than once had the honor to demand for Poland. Without going into the details of this galling discussion, why not do away with every pretext for such protests and demands? Would not the most convincing manner of proving Ireland to be wrong in wishing to break away from England surely be to redress all her grievances, and abolish all injustice?

The annexation of Ireland to England was effected more than seven centuries ago; and even to this present day, if the national feeling of the former country be appealed to, that annexation is ever still submitted to rather than accepted.†

But if this annexation is to be maintained, at least justify it by its good results! Let Ireland become under the constitutional sceptre of Free England the happiest and best governed of nations! Let the last traces of the scandals and violences of the past disappear! Let social and religious oppression no longer weigh down the mass of the people! Let the whole of the laws and institutions be administered in a different spirit! In a word, let England of the nineteenth century show as much energy and persistence in the sacred work of justice as England of the sixteenth, seventeenth, and eighteenth showed of inveteracy in the work of spoliation and persecution!

When this shall have been done, fully and honestly, it will no longer be Ireland's interest to separate from England. Gain over that nation by justice,—full, unreserved, unrestricted, open-handed justice,—and you will have solved the problem; the assimilation will have been accomplished.

Until then, make up your mind to have *Repealers* in Ireland; and to see the memory of Wolfe Tone and Robert Emmet cherished by all independent hearts.

This book is nothing else than an appeal to justice made to England in the name of England herself; that is in the name of her own honor and of her own interests.

We would that after having read it some large-hearted Eng-

\* The *Times*, December, 1860, (quoted *ante*, p. 56).—"The union of Ireland with England," said Lord Byron, "is the union of the shark with its prey, which unites with it to devour it."

† M. Jules de Lasteyrie, *Revue des Deux Mondes*, (Aug. 1st, 1853, p. 525; 15th Dec., 1860, p. 789.)

lishman, full of holy confidence in a good cause, would say to himself as did that immortal Wilberforce who swore never to desist until slavery had received its death-stroke\* :—I will never cease to labour, to speak, to write, to act upon public opinion, to strive and struggle, until England shall have done full justice to Ireland, and blotted out the last traces of three centuries of persecution!

## II.

It is true that, if we must throw into strong relief the great feature of this investigation, it is religious persecution that we shall find at the root of all the woes of Ireland. Religious persecution is admitted by all publicists to be the explanation of her present sufferings, as well as the key to all her political and social difficulties.

Had Ireland when placed in the sixteenth century between apostacy and martyrdom chosen apostacy, she would never have known what have been her heaviest trials.

There would have been no reason for those territorial confiscations of Elizabeth, of Cromwell, and of James I., the fatal effects of which color the whole of Ireland's past and present. The ancient race would have continued to hold the land, and not have been turned out wholesale to make room for foreign soldiers of fortune. Ireland would not necessarily have been split up into two hostile camps, in the one the despoilers and the wealthy, in the other the poor and despoiled;—"Masters and Slaves," as Sir John Davies called them at the beginning of the seventeenth century,—"*Spartans and Helots*," as the *Times*, in the middle of the nineteenth! The landed property question, of such complexity and difficulty to-day, would not have been for the mass of Ireland's children the source of an unexampled social oppression.† Irishmen, cultivating freely and for their own profit a land of proverbial richness, would not have been periodically decimated by frightful famines. Husbandry would have afforded them a livelihood, as it affords a livelihood elsewhere to every man who labours. Prosperity and wealth would have been in the case of that nation what they have been for all nations, since the time when there was nothing more beautiful in the list of Solomon's treasures than "*Judah and Israel*, innumerable as the sand of the sea in multitude; eating and

\* See M. Augustin Cochin's beautiful book, *L'Esclavage*; particularly the *Introduction*, p. xxxiv-xxxvii; and vol. i, p. 367.

† The *Times*, in 1847.

drinking and rejoicing . . . . . every one under his vine and under his fig-tree, from Dan to Beersheba."\*

The Irish, masters in their own land, would have gradually developed by agriculture commerce and industry the national riches; and the consequences would have been these:

The excess and permanence of an almost incredible destitution would have been impossible;

Emigration by wholesale would have had no motive;

Religious equality would have speedily induced civil and political equality; Ireland had it become Protestant would have been really the sister of Protestant England, and the two nations striding forward towards common destinies would have equitably shared their mutual good and evil fortunes trials and prosperity:

But all this would have been but the reward of *apostacy*.

Ireland chose *martyrdom* in preference.

Ireland preferred poverty, persecution, and exile, rather than deny her faith; like Moses, as St. Paul tells us, she "esteemed the reproach of Christ greater riches than the treasure of the Egyptians."†

Once more, we repeat it, this is the secret of her sorrowful destinies, and of the terrible trials that have borne her down.

But who will blame her for her choice? Who rather will not rejoice for the honor of the human conscience at so incomparable an example of constancy and heroism?

Might has triumphed. Cradled in earthly passions, victorious Protestantism has fattened on the good things of the earth. Neither bread nor meat nor raiment have been wanting to her. She has possessed gold in abundance; her vessels have ploughed the seas, and brought back to her the treasures of new worlds; and during this time the daughter who refused to strike her mother has passed days of agony and tears. She has been hungry and naked. She has been treated like a rebellious slave; and the marks of the irons she has borne are to be seen to-day upon her hands and feet, and the scars of her stripes upon her body.

But if the two were to appear before the tribunal of the nations,—England apostate, triumphant, glutted with gold, and Ireland faithful, but in tatters,—who would not esteem the latter the happier, for having kept intact at the price of unspeakable sufferings the inestimable treasures of purity,

\* 1 Kings, iv. 20-25. Bossuet: *Politique tirée de l'Ecriture Sainte*, l. x., Art. 1; XIth proposition: "The true riches of a kingdom are its men."

† "Magis eligens affligi cum populo Dei quam temporalis peccati habere jucunditatem; majores divitias æstimans thesauro Ægyptiorum improprium Christi."—(Heb. xi., 25, 26.)



faith, and evangelical wisdom, which the great commercial nation bartered away at so low a rate?

If then we have fulfilled a duty of justice in the impartial exposition of those political and social grievances under which Ireland is to-day suffering, we have also wished to fulfil a religious duty by showing the incomparable grandeur of a martyrdom which has been protracted three centuries, and the consequences and the evils of which are still under our eyes.\*

We have followed the aspirations of the Catholic Church; we have borne in mind her tried love for those nations which have sacrificed everything for the rights of conscience and of faith.†

We remember, one day, in the basilica of St. Peter's, being overpowered by a strong emotion on seeing on the humble doors of one confessional the two simple words "*Gens Hibernica*," and upon those of another "*Gens Polona*."‡

Conquerors, we exclaimed, have blotted out Poland for a time from the map of the world,—that profoundly Catholic nation! Politicians and the wise men of this world are but feebly interested in the sufferings of Ireland; because she has suffered for the defence of catholicism. But the Holy, Roman, Catholic, and Apostolic Church has neither subscribed to that condemnation nor shared that indifference. She has preserved near the shrine of the apostles SS. Peter and Paul, in the very centre of Catholicity, these great names, these immortal memories, these holy and invincible hopes!

Oh! Ireland and Poland,—noble sisters who have suffered and still suffer so much for our holy faith,—grasp tightly in your hands, crimsoned with your blood, the standards of St. Patrick and St. Casimir!

Men have wrought much against you; and the clear-sighted hatred of the enemies of the Church did not miscalculate when

\* One of these consequences is certainly the systematic indifference for Ireland professed by a certain fraction of the "liberal" party. This is a very just remark made by a writer in the *Revue des Deux Mondes*: "The stubborn attachment of the Irish to Catholicism is not calculated to win them the sympathies of the radicals. The Catholics are the only party [in Europe] which have in our times shown any lively sympathy for Ireland. Had Ireland's oppressor been Austria or Russia, there would not have been invectives nor anger enough to denounce the injustice and the cruelty of the tyrant. Unfortunately Ireland's oppressor is England,—protestant, constitutional, liberal, industrial, commercial England—the most perfect type of modern nations,—the model of the civilization of the nineteenth century! How could the men of our times, then, take up the cause of Ireland?"—(Emile Montégut; *Revue des Deux Mondes*, June 1st, 1855, p. 890.)

† See the *Encyclical Letter* of Pius IX., of March 25th, 1847, upon the sufferings of Ireland.

‡ In the left transept; where the Confessionals are situated. Each of the Catholic nations is there represented.

it struck at that strong alliance of liberty and faith which is the grandest and most glorious feature of your history.

You have on your side no dishonest triumphs, no guilty successes. In the long career of persecution and trial through which Providence has led you, you have striven steadfastly for the holy cause; you have struggled for justice even unto agony!

To those who measure everything by success, whether it be the efforts of nations or the efforts of individuals, you have been wrong to struggle, since you have been vanquished; your resistance has been guilty, because it has been fruitless; your enemies have been right, because they have been victorious.

But for those who look chiefly at the morality of history, there are other thoughts and another judgment. To them your defeat is only apparent, like the victory of your adversaries and persecutors.

For, independently of the fact that God, the master of the future, can how and when he will restore to you that which violence and fraud have wrested from you, you have preserved from your enemies the one treasure of which they wished to strip you; you have not only preserved it, you have increased it; like the church, you have grown under persecution; and whilst those who have triumphed over you are slumbering in indifference and weighed down under the abundance of spoil, you, illustrious vanquished of the past and the present, are hoarding up for the future the quenchless fire of Christian Faith, Hope, and Charity!

Take heart! your trials will not last for ever; the works of iniquity are passing and perishable: "*Vidi impium superexaltatum et elevatum sicut cedros Libani, et ecce non erat!*"—(Ps. xxxvi.)

Patience, then, even still! Do not imagine that you are forsaken: God forsakes not those who believe in him. The day of retribution will come,—to teach men that no struggle against right is rightful, that probation is not abandonment, that God and conscience have unimagined resources against brutal spoliation and the triumphs of injustice, and that if men are often immoral in their designs and actions there is still in the general course of history a sovereign morality, and judgments the forerunners of the infallible judgment of God.

# APPENDIX.

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## NO. I.—HISTORICAL SKETCH OF THE IRISH PARLIAMENT.— (p. xxiii. *ante*.)

THE assemblies of princes and nobles held in Ireland previous to the English invasion were not in the modern sense of the word representative Parliaments. The personages composing them not being in that sense the delegates or elected representatives of the nation, though also in no respect whatever like feudal peers, these assemblies had much more analogy with the Champs de Mars or Champs de Mai of the German tribes. The last such Parliament held before the landing of the troops of Henry II. was the celebrated Assembly of Tara, convoked in 1169 by Roderic O'Connor, the last King of all Ireland.

Established in Ireland by right of conquest, the English introduced their own institutions within the territories they occupied; and they afterwards recognized the right of Ireland to have as one of them a parliament of her own, and to pay only the taxes voted by her parliament.

Notwithstanding the continual wars which followed the invasion of Henry II., not very favorable to these assemblies, still parliaments were convoked and held in Ireland under Henry III. (1253 and 1269), Edward I. (1295), and their successors. By the resolutions voted and the laws passed in these assemblies it is easily seen in what measure they yielded to or withstood English influence.

After the Hundred Years' War, and the almost total expulsion of the English from French territory, it seems that Ireland was desirous of taking advantage of the weakness of Henry VI. to take up a bolder position in regard to England, and to speak in language of greater freedom through her representatives. The Dublin Parliament which met in 1460 proclaimed in the following terms its Legislative Independence of England:

"Ireland is and always has been incorporated within itself by ancient laws and customs; and is *only* to be governed by such laws as by the Lords and Commons of the land in Parliament assembled have been advised, accepted, affirmed, and proclaimed."

The two chambers also declared: "That by custom privilege and franchise there has ever been a royal seal peculiar to Ireland, to which alone the king's subjects are to pay obedience."

In spite of, or possibly on account of these proud declarations, however, when the royal power had regained the ascendant in England in the person of Henry VII., the famous Act of Sir Edward Poyning's (Drogheda Parliament, 1494), subjected the Parliament of Dublin to that of London, and declared all laws of public interest passed in the latter binding on the former.

This official subjection of the Irish legislature did not prevent an exclusively national parliament from meeting again in 1595 during the reign of Elizabeth.\* This assembly refused the subsidies demanded by the Crown, and threw out many bills introduced by the Queen's Privy-Council.

When James I. wanted to secure in the Parliament a majority in favour of the gigantic plan he had formed for stripping the ancient possessors of the soil of their property, he conferred electoral rights on forty new Boroughs. These became so many voices in favour of the royal will.†

\* At which almost all the Chiefs of the Irish Nobility attended.—(See Dr. O'Donovan's learned notes to the *Annals of the Four Masters*, vol. v.; pp. 1827-1841.)

† Some of these Boroughs counted no more than seven or eight inhabitants!—(Plowden.)

Under Charles I. Parliament assembled as usual. Wentworth had taken care to fill it with officers of the Crown, in order to be able to count upon a docile majority. Oliver Cromwell afterwards suppressed the Legislatures both of Scotland and Ireland, and established at London a General Parliament for the three Kingdoms. But after the restoration of Charles II. (1660), the Dublin Parliament again recovered its separate existence.

In 1689, in the month of May, James II. opened in person a Parliament convoked at Dublin, in which sat 46 Peers and 228 Commoners. This Parliament declared itself independent of that of London, and passed many laws in favour of liberty of conscience. The results however of the war, fatal as it was to the House of Stuart and to the Jacobite cause, rendered the resolutions of this assembly completely sterile.

From the accession of the House of Orange the Dublin Parliament was but too often the instrument of Protestant vengeance upon the vanquished party, and servilely allowed the code of penal laws to be dictated to it. Still, even during this period the assembly showed itself jealous to preserve the financial interests of Ireland from the exactions of England.

Thus in 1690 the House of Commons threw out a bill of subsidy, because it had not been previously submitted to their House.

In 1709, under Anne, another financial bill was thrown out, because the Queen's Privy-Council had thought proper to alter it.

In 1731, under George II., government wanted to have a grant of subsidies passed for twenty-one years. This iniquitous proposition fell before the courageous resistance of the Commons.

In 1754 the National Debt of Ireland was liquidated by the wise economy of Parliament.

In 1768 a bill of subsidy was again thrown out for the same reason as in 1690.

In 1782, at last, favoured by the embarrassed position of England,—during the American war,—the Dublin Parliament annulled the “Poyning's Act,” declared itself independent, and proclaimed aloud: “that no power upon earth had a right to make laws binding upon Ireland, except the *King, Lords, and Commons of Ireland.*”\*

It was under the influence of this declaration, and the new attitude taken up by the Irish Parliament, that the Code of Penal Laws began to fall to pieces, and Catholics to expect for the first time something akin to justice.

The year following (1783) the Volunteers, assembled in National Convention, proclaimed the necessity of Parliamentary Reform. If accepted, this proposition might have secured the future Legislative Independence of Ireland, by clearing away the abuses and corruption which had so frequently presided at elections. Rejected, as it was, by a majority of 159 votes to 77, it naturally emboldened the London Cabinet in its plan for the definitive ruin of the Irish legislature, so as to obtain again by corruption all that Cromwell had gained by force.

Nevertheless it was only after the bloody triumph gained over the patriots of 1798 that the English government attained the end which it had been so long preparing with infinite perfidy and skill. The Act of Union ended the History of the Irish Parliaments.

At first these Parliaments were annual. By an abuse of power they were assembled anew only at great and greater intervals. And finally they sat for the term of the King's life. Hence it followed that if in the first year Government had managed to buy over the majority it remained master of them and disposed of them according to its good pleasure until the accession of a fresh sovereign.

Under Geo. III., the Parliament became Octennial, with the condition of meeting every two years. Thus there were four Sessions to each Parliament.†

The scandalous corruption which but too often gained over the representatives of the Irish nation especially during the second half of the eighteenth century has been and is still for many publicists a sufficient argument in justi-

\* Motion of the celebrated Henry Grattan, 19 July 1782.

† For all these details see the Historical Introduction of M. de Beaumont's work,—so complete and so interesting; vol. i., p. 171.

fication of the Act of Union and of the suppression of the Legislative Independence of Ireland. Such a Parliament appears to them to have been nothing but an additional instrument of oppression in the hands of England, and only an increase of burthens and degradation for Ireland.

M. Gustave de Beaumont\* seems to us to have answered this specious objection in a masterly manner, by shewing how impossible it is to corrupt an entire assembly, to tread out from an entire assembly all feeling of honour, all the instincts of justice, and all love of liberty; the very men who sell themselves frequently take it into their heads to act as though they were not sold;† in fine, *there may be something worse for a people than to have a corrupt body of representatives, and that is not to have one at all.*

## NO. II.—CASE OF MR. DALTON, A TENANT; IN THE COURT OF CHANCERY.—(Page 104, *ante*.)

In 1813, a certain Mr. Dalton, tenant of a Mr. Courteney, proposed to the latter to undertake considerable improvements upon his farm, on condition of getting a lease. The condition being accepted, the necessary expenses for the projected improvements were incurred by Mr. Dalton; who, full of confidence in the word of Mr. Courteney, made so great a mistake as not to have the lease in question drawn up and signed in the first instance. It was certain, he thought, that his landlord would never take advantage against him of the absence of a mere legal formality. In 1831 Mr. Dalton died, and was succeeded by his son, the present tenant; who not only continued to pay the rent agreed upon, but who afterwards expended more than £200 upon the estate, from the year 1846. In the meantime Mr. Courteney died, and another landlord succeeded to the fortune and rights of Mr. Courteney. This new landlord did not consider himself bound either by the word of Mr. Courteney, nor by the most elementary principles of probity. The houses built by Mr. Dalton and his son were considered by him as fair spoil; and by a simple appeal to his legal rights as landlord he served a Notice to Quit upon the tenant in possession. Mr. Dalton proved that the outlay made upon the property by his family amounted to about the sum of £1000; and that this outlay had only been expended with the consent of Mr. Courteney, and upon his positive promise made to grant a long lease. The defendant denied none of these facts, but confined himself to demanding the application of the formal provisions of the law. In vain did the Lord Chancellor protest against the monstrous iniquity of such a pretension in point of conscience, and express unequivocally the pain which he felt at being obliged to enforce the strict law. The law was however precise and merciless, not giving the least chance of a doubtful interpretation. The letter of the law accordingly had to be executed; and Mr. Dalton, evicted from his farm, was judicially informed that in law he had no claim to any compensation whatever!—(Dublin Court of Chancery; May, 1860.)

\* Vol. i., pp. 176, *et seq.*

† So, in 1769, many pensioners of the ministry voted against the Bill for conceding to England the initiative in Financial measures.—(Pleaden, i. 395.)

No. III.—GENERAL STATISTICS OF EMIGRATION FROM THE UNITED KINGDOM FROM 1815 TO 1860, INCLUSIVE.—(Page 226, *ante*.)

Years.	To the English Colonies in North America.	To the United States.	To Australia and New Zealand.	To other countries.	TOTAL.
1815	680	1,209	*	192	2,081
1816	3,370	9,022	*	118	12,510
1817	9,797	10,280	=	557	20,634
1818	15,136	12,429	=	222	27,787
1819	23,534	10,674	=	579	34,787
1820	17,921	6,745	*	1,063	25,729
1821	12,955	4,958	*	384	18,297
1822	16,013	4,137	*	279	20,429
1823	11,355	5,032	=	163	16,550
1824	8,774	5,152	*	99	14,025
1825	8,741	5,551	485	114	14,891
1826	12,818	7,063	903	116	20,900
1827	12,648	14,526	715	114	28,003
1828	12,084	12,817	1,056	135	26,092
1829	13,307	15,678	2,016	197	31,198
1830	30,574	24,887	1,242	204	56,907
1831	58,067	23,418	1,561	114	83,160
1832	66,339	32,872	8,733	196	103,140
1833	28,808	29,109	4,093	517	62,527
1834	40,060	33,074	2,800	288	76,222
1835	15,573	26,720	1,860	325	44,478
1836	34,226	37,774	3,124	293	75,417
1837	29,884	36,770	5,054	326	72,034
1838	4,577	14,332	14,021	292	33,222
1839	12,658	33,536	15,786	227	62,207
1840	32,293	40,642	15,850	1,958	90,743
1841	38,164	45,017	32,625	2,786	118,592
1842	54,123	63,852	8,534	1,835	128,344
1843	23,518	28,335	3,478	1,881	57,212
1844	22,924	43,660	2,229	1,873	70,686
1845	31,803	58,538	830	2,330	93,501
1846	43,439	82,239	2,347	1,826	129,851
1847	109,680	142,154	4,949	1,487	258,270
1848	31,065	188,233	23,904	4,887	248,089
1849	41,367	219,450	32,191	6,490	299,498
1850	32,961	223,078	16,037	8,773	280,849
1851	42,605	267,357	21,532	4,472	335,966
1852	32,873	244,261	87,881	3,749	368,764
1853	34,522	230,885	61,401	3,129	329,937
1854	43,761	193,065	83,237	3,366	323,429
1855	17,966	103,414	52,309	3,118	176,807
1856	16,378	111,837	44,584	3,755	176,554
1857	21,001	126,905	61,248	3,721	212,875
1858	9,704	59,716	39,295	5,257	113,972
1859	6,689	70,303	31,013	12,427	120,432
1860	9,786	87,500	24,302	6,881	128,469
TOTAL	1,196,521	3,048,106	708,225	93,115	5,046,067

Average annual number of Emigrants, { from 1815 to 1860 : 109,697.  
 { from 1851 to 1860 : 228,720.

The Custom House statistics make no mention of any emigration to Australia during the ten years 1815-1824 inclusive. We know from other documents, however, that it was : in 1821, 320; in 1822, 875; in 1823, 513; in 1824, 780.—(See 21st Gen. Rep. of the Emigration Commissioners.)

No. IV.—NOTE ON THE CONSTANT TRADITION OF DESTITUTION  
IN IRELAND.—(Page 278, *ante*.)

In order not to tire the reader by too long a list, we shall not go back beyond the 18th Century.

In 1727, Boulter, Protestant Archbishop of Armagh and Primate of Ireland, wrote to the Duke of Newcastle, (17 March)\* that:—since his arrival in that country, the Famine had not ceased among the poor people.—The dearthness of corn last year was such that thousands of families were obliged to quit their dwellings to seek means of life elsewhere; and “*many hundred perished.*”

At the same period, Swift, in his little tract called *A Short View of the State of Ireland*, paints in similar characters the situation of the Irish tenant class: “The families of farmers who pay great rents live in filth and nastiness, upon buttermilk and potatoes, without a shoe or stocking to their feet, or a house so convenient as an English hog-sty to receive them.”

In 1734 the Protestant Bishop of Cloyne, Dr. Berkeley, asked these questions.† (Q. 132.) Is there on the face of the earth any christian and civilized people so destitute of everything as the mass of the people of Ireland?

(Q. 173.) Can it be said that the quantities of beef, of butter, of wool, and of leather exported from this island are the superfluity of the country, when so great a number of the inhabitants are naked and starving?

The year 1741 was called the “*year of slaughter,*” of death, and desolation. The cemeteries became too small for the burial of those who died on the roadside, or whose bodies had to be sought for in their abandoned cabins.

On the 16 Dec., 1778, in the House of Commons, Lord Nugent described the Irish people as suffering all the destitution and distress which it was possible for human nature to endure. Nine-tenths of the people earned no more than 4d a-day. In summer, their whole food consisted only of potatoes and buttermilk; in winter, of potatoes and water.‡

In 1817, the fevers caused by indigence and hunger attacked 1,500,000 persons in Ireland, of whom 65,000 perished.§

In 1825, Mr. John Leslie Foster, one of the Barons of the Exchequer, gave evidence on oath that the proprietors in Ireland took measures the most violent and the most deplorable against the increase of the population; that a great number of labourers were obliged to take refuge in the towns; and that they were a prey to “*such misery as it is impossible to describe.*”||

In 1826, bad food caused twenty thousand sicknesses. This same year M. Duvergier de Hauranne, who visited Ireland, drew the following picture of it in the *Globe*:

“Ireland is the land of anomalies: the most deplorable destitution on the richest of soils. . . . No where does man live in such wretchedness. The Irish peasant is born, suffers, and dies,—such is life for him. Hunger is the only limit,—it is but too true,—to the Irish population.”

In 1830 a committee of the House of Commons¶ attests that a fourth part of the population was in want of work, and that this cause in addition to the mode of working the land produced destitution and suffering such as it was impossible for human tongue to describe.

A little farther on the same document speaks of the tenant class as having reached the last degree of distress; a great number of those who were obliged to seek refuge in the towns had died of want.

In 1832, Dr. Doyle, Bishop of Kildare, was asked what was the state of the population in the West of Ireland?—What it has always been, he answered; “*People are perishing, as usual.*”\*\*\*

\* Quoted by M. de Beaumont, i. 220.

† “*The Querist*,” containing several Queries, proposed to the consideration of the public, by George Berkeley, D.D., Bishop of Cloyne: 1734.”

‡ Quoted in the work of M. J. Barry, Esq.; Dublin, 1845, p. 20.

§ De Beaumont, i. 220.

|| *Rights of Ireland*, p. 76.

¶ *Blue Book*; Report of the Commons Committee of 1830; p. 4.

\*\*\* Quoted by M. de Beaumont, i. 220.

In 1835, the Commissioners charged with the great Inquiry into the Social Condition of Ireland estimated at near Three Millions the number of individuals who are every year liable to fall into absolute destitution.\* Besides these three millions of poor, there are also millions of other unfortunates, who are not counted, because not actually dying of hunger.

In the same year, 1835, M. Gustave de Beaumont, passing through the county of Mayo, in Connacht, came to the parish of New-Port Pratt: "Wishing," he says, "to form an exact idea for myself of the degree of destitution of the inhabitants of this parish, I visited on chance a great number of the cabins throughout it. The following are some of the statistical details which I collected from this enquiry. Out of 11,761 inhabitants of this parish, 9,338 have no other bed but of straw or grass; 7,531 have not even any kind of bedstead, but lie on the bare ground. Out of 206 persons who form the population of the little village of Derry-Lacken (one of the hamlets of this parish) but 39 had any blanket at night; the remainder at night were perishing of cold as well as hunger. In the course of my visits I found 12 families who in the middle of the day had not yet broken their fast, for mere want of food."<†

In 1836, a blue-book already quoted gives the most harrowing details as to the dwellings, the clothes, and the food of the Irish peasantry.

In 1838, it was the celebrated Duke of Wellington that made in Parliament this avowal; that: there never was a country in which poverty existed to such a degree as it exists in Ireland; that, he occupied a high position in that country [chief secretary] thirty years before, and that he must say that ever since then there had hardly been a single year in which the government had not had the most serious reason to fear a Famine.‡

In 1843, Mr. Thackeray recounts as follows what he saw; that in the South and West of Ireland the traveller has before him the spectacle of a people dying of hunger, and that by millions, and in the very richest counties—"men are suffering and starving by millions;" and that: peasants full of strength and life lie in bed "*for the hunger*," because a man in bed has not as much need of food as a man that is up.§

As to the sufferings endured by Ireland in 1846 and 1847, they exceeded every thing that had been seen up to that time.

It is only those who lived in the midst of this horrible destitution,—wrote Captain Mann,|| an eye-witness,—that can conceive it; as for me, I often remember it as a *frightful dream*!

A whole book should be written if we were to retrace all the scenes of horror and despair of which Ireland was then the theatre. We shall only quote a few extracts from a Report published by the Society of Friends (Quakers).

One of the Commissioners sent by the Society to organize the distribution of Relief, Mr. William Edward Forster, wrote (on the 22nd January, 1847),—after mentioning his arrival at the village of Cleggan, near Clifden, co. Galway:

"Having heard an alarming account of this village I had ordered two bags of meal to meet me . . . . . The distress was appalling, far beyond my power of description. I was quickly surrounded by a mob of men and women, more like famished dogs than fellow creatures, whose figures, looks, and cries all showed that they were suffering the ravaging agony of hunger . . . . I went into two or three of the cabins. In one, there were two emaciated men lying at full length on the damp floor in their ragged clothes, too weak to move,—actually worn down to skin and bone. In another a young man lay ill of dysentery; his mother had pawned everything, even his shoes, to keep him alive; and I never shall forget the resigned uncomplaining tone with which he told me that *all the medicine he wanted was food*."<¶

Another Quaker, Mr. William Bennett, wrote (13 March 1847),—speaking of the district of Belmullet, Co. Mayo:—

"We entered a cabin. Stretched in one dark corner, scarcely visible, from

\* Quoted by M. de Beaumont, 221. † Vol. i. 361.

‡ Quoted in the *Edinburgh Review*, Jan. 1848, p. 237.

§ *Irish Sketch Book*.

|| Capt. Mann's Narrative; (quoted in the Sermon of the Bishop of Orleans, p. 28.)

¶ *Transactions of the Central Relief Committee of the Society of Friends*, p. 156; (Dublin; Hodges and Smith, 1852.)



the smoke and rags that covered them, were three children huddled together, lying there because they were too weak to rise, pale and ghastly, their little limbs, on removing a portion of the filthy covering, perfectly emaciated, eyes sunk, voice gone, and evidently in the last stage of actual starvation. Crouched over the turf embers was another form, wild and all but naked, scarcely human in appearance. It stirred not, nor noticed us. On some straw, saddened upon the ground, moaning piteously, was a shrivelled old woman, imploring us to give her something,—baring her limbs partly, to show how the skin hung loose from the bones, as soon as she attracted our attention. Above her, on something like a ledge, was a young woman, with sunken cheeks,—a mother, I have no doubt,—who scarcely raised her eyes in answer to our enquiries, but pressed her hand upon her forehead, with a look of unutterable anguish and despair.”\*

And Mr. W. Bennett adds: “THE SCENE WAS INVARIABLY THE SAME.”

Again Mr. W. E. Forster writes, (25 Jan., same year,) from the Co. Galway: “..... As we went along, *our wonder was not that the people died, but that they lived*; and I have no doubt whatever that in any other country the mortality would have been far greater; that many lives have been prolonged, perhaps saved, *by the long apprenticeship to want in which the Irish peasant has been trained*, and by that lovely touching charity which prompts him to share his scanty meal with his starving neighbour.”†

And it must not be forgotten that in the midst of distress which baffles all description, and of which nothing can give any idea, many of the victims of the famine were at the same time the martyrs of honesty and faith. “Come here and let us die together,” said a wife to her husband, “rather than touch what belongs to another.”‡

These horrors make us understand the tone in which the *Times*, in 1847, spoke of the destitution of Ireland, and of the culpable state of things to which that destitution was to be attributed:

The ulcer of Ireland—said that journal,—drains the resources of the empire. It was to be expected that it should be so. “*The people of England have most culpably and foolishly connived at a national iniquity.*” Without going back beyond the Union, and only within the last half century, “*it has been notorious all that time that Ireland was the victim of an unexampled social crime.*” The landlords exercise their rights there with a hand of iron, and deny their duties with a brow of brass. Age, infirmity, sickness, every weakness is there condemned to death. The whole Irish people is debased by the spectacle and contact of beggars and of those who notoriously die of hunger;—and “*England stupidly winked at this tyranny.*” We begin now, (added the English organ), to expiate a long course of neglect: such is the law of justice. If we are asked why we have now to support half the population of Ireland, the answer lies in the question itself, *it is that “we have deliberately allowed them to be crushed into a nation of beggars.”*§

Can anything be added to admissions such as these?

\* *Ib.* p. 163.

† *Ib.* p. 159.

‡ We have this instance, so honorable to the Irish character, from a learned and pious prelate of the South-West of Ireland. Another Bishop once told us that a miserable father of a family came to him to ask whether it would not be allowed him to commit suicide, in order to escape the frightful death to which he must infallibly become a victim in the course of a few days more

§ *Times*, 25 February, 1847.



NO. VI.—MEMORIAL ON THE “NATIONAL EDUCATION” SYSTEM, TRANSMITTED TO MR. CARDWELL, CHIEF-SECRETARY FOR IRELAND, BY NINETEEN IRISH MEMBERS OF PARLIAMENT, 10TH AUGUST, 1860.—(Page 412, *ante*.)

“London, 10th August, 1860.

“SIR—We, the undersigned members of Parliament, regret that, owing to the unavoidable postponement of the estimates, the greater part of the session has passed without an announcement having been made respecting the intentions of Her Majesty’s government with reference to education in Ireland. Regarding that subject as one of solemn and daily increasing importance, we are anxious to become acquainted with those intentions at a period sufficiently early to allow of our giving to them a mature consideration before the session concludes. We have read with attention the reply sent by you on the 28th of November last to the memorial addressed to you, on the 5th of the previous August, by the Catholic archbishops and bishops of Ireland. In that reply you have made several statements, from which it appears that, at least upon some momentous points, your views accord with those expressed in that memorial. Such would seem to be the opinion also of the archbishops and bishops, who in their second letter, dated March 18th, 1860, express themselves thus:—‘Examining your letter, we are happy to find that you laid down and fully admit, on the part of the government, principles of great importance, in which we cheerfully concur.’ Without wishing to anticipate the parliamentary discussion, which must soon take place, by any expression of opinion with regard to mixed or to separate education, we wish to know whether we have understood aright the meaning of your letter. It is, no doubt, your wish, no less than ours, that on this matter there should be no misconception. On no subject is it of more importance than on that of education, that the engagements entered into by the state should be unequivocal in their character, and maintained with good faith.

“*The changes made in the system of National Education have been very numerous. That in their cumulative effect they have had a gravity not anticipated when each of them was successively made will now be denied by few. That through them the system has been affected in its fundamental principles and its essential characteristics, is a fact not merely conceded, but willingly and warmly asserted, in their pamphlets and public speeches, by various Protestant clergymen, and especially by Archdeacon Stopford. These gentlemen affirm that, but for the changes in question, they could not conscientiously have joined that system; but that owing to them they now enjoy opportunities of inculcating on children in their schools, not of their own faith those religious doctrines which they hold specially precious—opportunities even more favourable than those formerly accorded to them by the Kildare-place Society. In their evidence before Parliamentary Committees, and in that given by Mr. McCreedy, Mr. Carlisle, and other persons connected with the administration of the system, similar statements are reiterated. Now, the institution of National Education in Ireland, upon the withdrawal of the grant to the Kildare-place Society, involved a compact of no ordinary character. From it even ‘the suspicion of proselytism’ was to be excluded, and it was guaranteed a principle no less sacred in the political than in the moral sphere, viz., ‘that we should do to others as we wish others to do to us;’ a principle for which the prelates and the people of Ireland had long contended in vain. The successive changes to which we refer were in several cases urged by their respective advocates as experiments, and their full effects could only be ascertained by experience. They were, with few exceptions, made in direct opposition to the original principles and provisions of the system as compendiously set forth in Mr. Stanley’s letter. You refer expressly, and on several occasions, to that document, as the exponent and authoritative standard of the national system. The principles ‘of that system’ you state ‘were clearly laid down by the Earl of Derby in the well-known letter addressed by him to the Duke of Leinster, in the year 1831;’ and further on you justly remark, with reference to certain grievances which we lament, ‘the principles recorded in Lord Derby’s letter appear to afford no opening for any such complaint.’ You proceed:—‘If any ground for it exist in practice, the members of any Church are entitled to bring their grievance to the notice of him in authority. From whatever quarter such a representation might proceed, it would not fail to receive the most careful attention. It certainly would not fail to do so when made by the spiritual pastors of by far the larger number of pupils receiving education in the schools.*

“You have also singled out and especially re-affirmed several important principles contained in that letter, and enforced with a single exception, by the earlier rules of the board. You observe—1st. In dealing with the subject of education they (the government) ‘readily acknowledged the paramount importance of religious training.’ *We are persuaded, therefore, that you cannot be contented with a system by which, in large parts of the country, the Catholic pupil has*

*no alternative except that of receiving culture in school, or else of receiving it from a Protestant instructor. An injustice so palpable could not have existed under the system announced by Mr. Stanley; according to it, one day at least, exclusive of Sunday, was to be set apart for religious instruction, and 'permission and encouragement afforded to the clergy to give religious instruction, or have it given by those whom they may approve, either before or after the ordinary school hours on the other days of the week.'*

"2ndly. You admit that 'in the circumstances of Ireland this religious training must be separate;' such was the original engagement. That principle was discarded, and what was called a 'common' religious instruction, was introduced in the ordinary class book. This change soon became the cause of much dispute and contention, and has discouraged the united education, and diminished the social harmony it was intended to promote. Is it your intention to make any alteration in this respect?

"3rdly. You state that this separate religious training 'can only be superintended with success by teachers of the different churches into which the country is divided. They therefore (the government) cheerfully recognise the right which belongs, and the duty which attaches, to the heads of the respective churches in regard to religious instruction, and desire to afford to the clergy every possible facility and encouragement for the discharge of their important duty.'

"This is an unequivocal assertion of that pastoral authority originally recognised by Mr. Stanley's letter. The authority has been set aside. Some persons have not hesitated to assume or to insinuate that such authority is at variance with parental authority. Sir, the Catholic, as in other Christian communities, parents, and the pastors in whom they confide, have the same wishes with regard to the religious education of the young, while parents possess no means, except through their pastors, of carrying those wishes into effect. *The assumption of an antagonism between parents and pastors, where it is not a mere misconception, has commonly come from those who wished to produce that antagonism.* Supposing it to exist, it is obvious that the recognition of pastoral authority made by Mr. Stanley's letter, and recently by yourself, could not furnish the slightest means of enforcing that authority. *The original education system, however, supplied the opportunities through which the pastors of all denominations were enabled to impart spiritual instruction to children willing and glad to receive it, and included no provision by which, through unweariness, credulity, or timidity, a poor and dependent peasantry might be coerced or beguiled into an apparent consent to a religious education obtruded upon their children by teachers of a faith opposed to their own.* Are we right in inferring that you are prepared on the one hand to enforce the right of pastors as originally guaranteed, and on the other to provide that *no child be henceforth allowed to attend* (at the hours of separate instruction) the religious teaching given by teachers not of their own faith, except when an express permission in writing to that effect, *positive not negative*, distinctly conceded, not deduced by inference, has been previously accorded by his parent. Let it be remembered that it is by universal and self-acting rules alone that the safety of the child can be assured in this matter, not by any occasional success which may attend extraordinary exertions on the part of the local clergy. You may remark, 'In the schools of which the patrons are Roman Catholics, the religious instruction is Roman Catholic, while in all schools vested in the National Board, Roman Catholic pastors have free access, before and after school hours, for the purpose of giving instruction to the pupils of their own church.' This is true, but the classification is incomplete.

"You make no mention of the schools under Protestant patrons. *Many such patrons are just and religious men, but among them are also many who will neither allow a Catholic priest within the walls of their school, nor grant a site for a school under a Catholic patron.*

"It has been stated that, through a law enabling the government to take up sites for schools as it does for coast-guard stations, the non-vested system might be made in all parts of the country alike, to work impartially as regards Catholics and Protestants. Such suggestions may be well worthy of consideration, but avoiding all debatable matter, we confine ourselves here to the assertion of our rights as solemnly pledged to the whole people of Ireland by the National system of 1831.

"You make the following statement:—'While, therefore, I convey to you, on the part of Her Majesty's government, the declaration of their firm adherence to a system of education open equally at the hours set apart for secular instruction to every denomination of Christians, I declare to you, with equal plainness, their desire to give full effect to that other principle of the system which provides for separate religious teaching and respects, in the case of every child, the just authority of the parent.' You are, doubtless, well aware, that in very many schools Catholic children possess, under the changed rules, no religious teaching whatever except what is imparted to them, with a ludicrous assurance that their faith is not to be tampered with, by persons accustomed, both in private society and public meetings, to stigmatise as a mass of *superstition, imbecility, and idolatry, the religion of those parents whose just authority you are resolved to respect.* How do you propose to realise your engagements? Are we to understand that you will return to the original system?

"There are several other points respecting which we shall regard it as a favour if you could supply us with early information.

"They relate to matters on which you have as yet expressed no definite opinion.

"1. *The system of Literary Model Schools, used also as additional training schools, and educating together, under a common roof, youths removed from all domestic control, and subjected to*

no adequate collegiate discipline, formed no part of the original scheme of education. In them the State, not content with promoting, directing, and superintending education, assumes the direct function of educator. Is it your intention to maintain or abolish this innovation, which has given rise to grave apprehension, and threatens to spread over the land a network of government education at present scarcely known in any other part of the world?

"2. The class books have been invariably composed by Protestants, and, though in many respects good, are commonly regarded (with reference to their religious spirit and their direct religious influence) with dissatisfaction by Catholics. Have you any objection to sanction the compilation of additional books, to be used by such patrons as may prefer them?

"3. Are you prepared to recommend a nearer approach to justice in the distribution of administrative patronage? Do you consider that a vast Catholic majority in the schools should be represented by a Catholic minority on the Board? As regards the inspection department, do you deem just and expedient that there should exist an immense majority of Protestant inspectors in those districts where Catholics most need protection?

"4. The Presbyterian worship, prayer, psalmody, and preaching are admitted in non-vested schools. The Catholic worship is excluded, under the plea of excluding sacraments, as are also the sign of the cross, brief intervals of mental prayer, and all religious emblems. Are you prepared in this matter to adopt the principle of equality?

"5. Building grants are at present restricted to schools vested in the board. Are you willing to revert to the original conditions of such grants?

"6. Are the schools of the Christian Brothers, and of Nuns, to be treated as favourably as the other schools?

"We have asked for information, because it is necessary that we should have the facts of the case before us in their completeness. We wish to know whether the alternative proposed to us is the English system on the one hand, and the original Irish system on the other, or whether we are invited to acquiesce in a system equally remote from both.

"In conclusion, you justly remark that a very large number of the pupils in the National schools, as well as the patrons and teachers, are Roman Catholics; that circumstance results from the fact that the Roman Catholics of Ireland frankly accepted the National system, while in the three southern provinces the great mass of the Protestants rejected and denounced it. Grateful for the past services, and for the good intention of those who introduced the National system, confident that it would be administered in good faith, and aware that none of its important rules could be changed without the consent of the Lord Lieutenant, they did not narrowly scrutinize alterations made at the urgency of others, although they deemed them to be no improvements.

"To this system they have adhered, although year by year further concessions, the importance of which became but gradually apparent, were made in deference to the acute urgency of others, while the modifications sought by the Catholic prelate were steadily refused. It remains to be seen whether their confidence has or has not been a blind one.

"To approve of the National system as it stands is to disapprove of that system as originally instituted and accepted by them. Let it be remembered that the more widely the National system extends itself throughout the country, the more severely must the soundness of its principles be tested, and the more fatally must be exposed the fallacy of all principles not originally sound, or not maintained in their integrity.

"It is a narrow jealousy, not an enlightened prudence, which can take offence at such expressions as these:—'Though anxious to promote every branch of science and literature, we repudiate any system in which education is restricted to temporal and material concerns.' No statesman worthy of the name can fail to recognise the wisdom and moderation of statements such as the following:—'Every Catholic clergyman, believing the pastors of the Church to have a divinely constituted authority, not derived either from the congregation or the state, cheerfully allowed their right to teach all revealed doctrines, and to prevent the propagation of error; whilst, on the other hand, the pastors, if religious truth be secured from false teaching, leave their flocks at full liberty to expatiate, as they will, in the paths of mere secular knowledge.' Such principles are, no doubt, among those in which you concur with our prelates. Rightly to hold the balance and adjust the claims of things spiritual and temporal is the first condition of a system of education capable of maintaining itself long, and subserving the public good and the cause of virtue.

"We trust that no petty suspicions or ill considered exactions in this matter may add another to those causes of discontent and ill will, by which our country and the empire have been so long afflicted and so often imperilled.

"We are, etc. (signed),

"Castlerosse, R. More O'Ferrall, John Francis Maguire, W. H. F. Cogan, Laurence Waldron, John Esmonde, O'Connor Don, John Lanigan, D. O'Connell, Edward MacEvoy, O'Donoghue, W. Monsell, G. Gavin, James M'Cann, John A. Blake, George Bowyer, John Brady, John Dalberg Acton, J. Pope Hennessy.

"The Right Honourable E. Cardwell, M.P."

PROVINCES, COUNTIES, CITIES, AND BOROUGHES.		NUMBER OF INHABITANTS.		
		1841	1851	1861
PROVINCE OF LEINSTER.				
Carlow	(County) . . . . .	86,228	68,078	57,210
Drogheda	(Borough) . . . . .	16,261	16,847	14,730
Dublin	(City) . . . . .	232,726	258,369	249,710
"	(Suburbs) . . . . .			46,210
"	(County) . . . . .	140,047	146,778	106,010
Kildare	" . . . . .	114,488	95,723	84,910
Kilkenny	(City) . . . . .	19,071	19,975	14,010
"	(County) . . . . .	183,349	138,773	109,410
King's	" . . . . .	146,857	112,076	88,410
Longford	" . . . . .	115,491	82,348	71,510
Louth,	" . . . . .	111,979	90,815	75,110
Meath,	" . . . . .	183,828	140,748	110,610
Queen's	" . . . . .	153,930	111,664	90,710
Westmeath	" . . . . .	141,300	111,407	90,810
Wexford	" . . . . .	202,033	180,158	143,510
Wicklow	" . . . . .	126,143	98,979	86,090
Total for the province of Leinster,		1,973,731	1,672,738	1,439,590
PROVINCE OF MUNSTER.				
Clare	(County) . . . . .	286,394	212,440	166,270
Cork	(City) . . . . .	80,720	85,732	78,890
"	(County, E.R.) . . . . .		351,815	280,440
"	" (W.R.) . . . . .	773,398	211,761	178,160
Kerry	" . . . . .	293,880	238,254	201,980
Limerick	(City) . . . . .	48,391	53,448	44,620
"	(County) . . . . .	281,638	268,684	170,980
Tipperary	" (N. R.) . . . . .		147,209	108,460
"	" (S. R.) . . . . .	435,553	184,358	139,080
Waterford	(City) . . . . .	23,216	25,297	23,220
"	(County) . . . . .	172,971	138,738	111,110
Total for the province of Munster,		2,396,161	1,857,736	1,503,200
PROVINCE OF ULSTER.				
Antrim	(County) . . . . .	276,188	251,383	247,410
Armagh	" . . . . .	232,393	196,084	189,380
Belfast	(City) . . . . .	75,308	100,301	119,240
Carrickfergus	(County and City) . . . . .	9,379	8,520	9,390
Cavan	(County) . . . . .	243,158	174,064	153,970
Donegal	" . . . . .	296,448	255,158	236,850
Down	" . . . . .	361,446	320,817	299,860
Fermanagh	" . . . . .	156,481	116,047	105,370
Londonderry,	" . . . . .	222,174	192,022	184,180
Monaghan,	" . . . . .	200,442	141,823	126,340
Tyrone	" . . . . .	312,956	255,661	238,420
Total for the province of Ulster,		2,386,373	2,011,880	1,910,400
PROVINCE OF CONNACHT.				
Galway	(County) . . . . .	422,923	297,897	254,250
"	(City) . . . . .	17,275	23,787	16,780
Leitrim	(County) . . . . .	155,297	111,887	104,610
Mayo	" . . . . .	388,887	274,499	254,440
Roscommon	" . . . . .	253,591	173,436	156,150
Sligo	" . . . . .	180,886	128,515	125,070
Total for the province of Connacht,		1,418,859	1,010,031	911,330
General total for Ireland,		8,175,124	6,552,385	5,764,540

INCREASE OR DECREASE.

BETWEEN 1841 AND 1851.				BETWEEN 1851 AND 1861.			
Increase in 1851.		Decrease in 1851.		Increase in 1861.		Decrease in 1861.	
Number.	Proportion per cent.	Number.	Proportion per cent.	Number.	Proportion per cent.	Number.	Proportion per cent.
...	...	18,150	21.05	...	...	10,846	15.93
...	3.60	...	...	...	...	2,117	12.56
...	11.02	...	...	...	...	8,636	3.34
...	4.80	...	...	5,511	2.75	...	...
...	...	18,765	16.39	...	...	10,793	11.27
...	4.74	...	...	...	...	5,894	29.51
...	...	44,576	24.31	...	...	29,297	21.11
...	...	34,781	23.68	...	...	23,585	21.04
...	...	33,143	28.70	...	...	10,756	19.06
...	...	21,164	18.90	...	...	15,675	17.26
...	...	43,080	23.43	...	...	30,139	21.41
...	...	42,266	27.46	...	...	20,914	18.73
...	...	29,893	21.16	...	...	20,551	18.45
...	...	21,875	10.83	...	...	36,564	20.29
...	...	27,164	21.53	...	...	12,886	13.02
...	...	300,993	15.25	...	...	233,142	13.94
...	...	...	25.82	...	...	46,165	21.73
...	6.21	73,954	...	...	...	6,840	7.98
...	...	209,822	27.13	...	...	71,372	20.29
...	...	55,626	18.93	...	...	33,600	15.87
...	...	...	...	...	...	36,266	15.22
...	10.45	...	...	...	...	8,822	16.50
...	...	72,954	25.90	...	...	37,701	18.06
...	...	103,986	23.87	...	...	38,743	26.32
...	8.96	...	...	...	...	45,328	24.59
...	...	34,233	19.79	...	...	2,077	8.21
...	...	...	...	...	...	27,622	19.91
...	...	538,425	22.47	...	...	354,536	19.08
...	...	24,805	8.98	...	...	3,969	1.58
...	33.19	36,309	15.62	...	...	6,702	3.42
...	...	...	...	18,941	18.68	...	...
...	...	850	9.16	878	10.31	...	...
...	...	69,094	28.42	...	...	20,092	11.54
...	...	41,290	13.93	...	...	18,299	7.17
...	...	40,629	11.24	...	...	20,951	6.53
...	...	40,434	25.84	...	...	10,675	9.19
...	...	30,152	13.57	...	...	7,885	4.11
...	...	58,619	29.23	...	...	15,483	10.92
...	...	57,295	18.31	...	...	17,235	6.74
...	...	374,493	15.69	...	...	101,472	5.04
...	...	125,026	29.56	...	...	43,641	14.65
...	37.70	...	...	...	...	7,001	29.43
...	...	43,400	27.95	...	...	7,282	6.51
...	...	114,388	29.41	...	...	20,050	7.30
...	...	80,155	31.61	...	...	17,282	9.96
...	...	62,371	28.95	...	...	3,436	2.67
...	...	408,828	28.81	...	...	98,692	9.77
...	...	1,622,739	19.85	...	...	787,842	12.02

PROVINCES, COUNTIES, CITIES, AND BOROUGHES.		Number of Inha- bitants in 1861.	Established Church.	Catholic
PROVINCE OF LEINSTER.				
Carlow	(County)	57,232	6,241	50,61
Drogheda	(Borough)	14,730	1,023	13,34
Dublin	(City)	249,733	46,922	194,60
"	(Suburbs)	46,231	15,248	28,48
"	(County)	106,058	19,078	81,52
Kildare	"	84,930	6,832	77,11
Kilkenny	(City)	14,081	1,084	12,85
"	(County)	109,476	4,597	104,66
King's	"	88,491	8,282	79,30
Longford	"	71,592	6,114	64,81
Louth	"	75,140	4,975	69,10
Meath	"	110,609	6,684	103,48
Queen's	"	90,750	9,854	79,95
Westmeath	"	90,856	6,809	83,81
Wexford	"	143,594	12,840	129,82
Wicklow	"	86,093	15,261	69,75
Total for the province of Leinster,		1,439,596	171,234	1,246,25
PROVINCE OF MUNSTER.				
Clare	(County)	166,275	3,371	162,57
Cork	(City)	78,892	9,574	67,09
"	(County, E. R.)	280,443	16,374	262,58
"	(W. R.)	178,161	14,583	162,00
Kerry	"	201,988	6,211	195,29
Limerick	(City)	44,626	3,934	39,68
"	(County)	170,983	5,606	164,87
Tipperary	(N. R.)	108,466	6,892	100,91
"	(S. R.)	139,030	4,970	133,22
Waterford	(City)	23,220	1,912	20,46
"	(County)	111,116	3,265	107,39
Total for the province of Munster,		1,503,200	76,692	1,416,17
PROVINCE OF ULSTER.				
Antrim	(County)	247,414	45,087	61,20
Armagh	"	189,382	58,643	92,10
Belfast	(City)	119,242	29,242	40,69
Carrickfergus (County and City)		9,398	1,827	1,05
Cavan	(County)	153,972	23,187	123,82
Donegal	"	236,859	29,942	177,56
Down	"	299,866	60,516	97,29
Fermanagh	"	105,372	40,676	60,49
Londonderry	"	184,137	30,871	83,42
Monaghan	"	126,340	17,706	92,71
Tyrone	"	238,426	52,433	134,37
Total for the province of Ulster,		1,910,408	390,130	963,68
PROVINCE OF CONNACHT.				
Galway	(County)	254,256	7,534	245,95
"	(City)	16,786	786	15,55
Leitrim	(County)	104,615	9,516	93,84
Mayo	"	254,449	6,937	246,10
Roscommon	"	156,154	5,227	150,49
Sligo	"	125,070	10,605	112,52
Total for the province of Connacht,		911,339	40,605	864,47
General total for Ireland,		5,764,643	678,661	4,490,58



## RELIGIOUS DENOMINATIONS.

	Presbyterians.	Methodists.	Independents.	Baptists.	Quakers.	Other Dissenters.	Jews.
6,201	107	182	1	2	43	43	...
1,793	211	140	...	...	...	14	...
46,422	454	1,837	374	193	309	791	252
15,548	110	520	183	70	206	396	9
1,406	1,042	416	377	40	290	288	3
6,882	581	288	7	1	62	44	1
1,004	85	31	1	1	4	21	...
4,507	94	62	1	13	4	88	...
8,282	266	415	11	45	121	55	...
6,111	529	100	6	...	...	33	...
4,373	908	137	2	3	...	14	1
6,684	410	105	6	3	...	12	...
9,684	247	481	18	...	170	21	...
6,000	823	175	1	72	60	103	...
12,640	283	445	28	4	111	59	...
15,261	271	716	14	7	62	22	...
171,294	6,911	6,050	1,032	454	1,442	1,954	266
8,371	285	75	6	...	...	16	...
9,574	825	886	107	66	236	106	...
16,374	711	377	97	37	62	198	...
14,380	225	1,255	24	14	...	48	...
6,211	252	174	15	5	4	32	...
3,994	366	325	164	12	73	62	1
6,006	139	312	29	...	5	11	...
6,882	163	408	2	13	17	58	...
4,970	288	186	9	6	167	80	...
1,919	236	265	39	45	153	105	...
2,365	225	49	3	0	139	62	...
76,692	3,685	4,312	495	207	859	778	1
45,067	440	3,919	696	833	360	1,859	...
53,643	1,988	6,105	775	40	388	841	2
29,213	1,046	4,857	354	205	218	619	11
1,837	1,609	280	349	24	23	272	...
23,191	1,686	1,319	8	2	34	61	...
29,912	1,694	2,230	110	131	5	187	...
60,516	1,018	4,219	127	301	185	1,282	16
40,573	1,367	3,336	...	6	...	7	...
30,911	1,014	1,132	527	1,524	3	636	2
17,706	1,406	430	6	6	5	56	3
52,453	1,816	3,715	328	320	298	122	20
290,100	31,560	3,280	3,392	1,492	5,442	54	...
7,584	397	279	33	13	15	35	...
706	165	127	42	2	...	110	...
9,618	351	877	...	15	1	10	1
6,507	933	413	2	11	...	45	...
5,327	252	146	15	7	3	14	...
10,005	927	768	163	64	...	26	...
40,000	1,025	2,610	255	112	19	240	1
678,601	44,532	5,062	4,165	3,812	8,414	322	...

PARLIAMENTARY BOROUGHES.	Number of Inhabitants in 1861.		
		Established Church.	Cath.
Armagh . . . . .	8,933	2,858	4,
Athlone . . . . .	6,170	991	5,
Bandon . . . . .	6,322	1,561	4,
Belfast . . . . .	76,491	18,271	27,
Carlow . . . . .	8,967	1,075	7,
Carrickfergus . . . . .	9,398	1,827	1,
Cashel . . . . .	5,596	314	5,
Clonmel . . . . .	11,190	974	9,
Coleraine . . . . .	6,208	1,732	1,
Cork . . . . .	101,534	12,302	86,
Downpatrick . . . . .	4,310	1,323	1,
Drogheda . . . . .	18,094	1,165	16,
Dublin . . . . .	258,328	50,331	199,
Dundalk . . . . .	10,404	1,464	8,
Dungannon . . . . .	3,886	1,241	2,
Dungarvan . . . . .	8,614	191	8,
Ennis . . . . .	7,127	368	6,
Enniskillen . . . . .	5,701	2,161	3,
Galway . . . . .	24,990	1,144	23,
Kilkenny . . . . .	17,441	1,217	16,
Kinsale . . . . .	4,624	655	3,
Limerick . . . . .	55,234	4,292	49,
Lisburn . . . . .	9,653	4,330	2,
Londonderry . . . . .	20,493	3,499	11,
Mallow . . . . .	4,824	504	4,
New Ross . . . . .	7,115	539	6,
Newry . . . . .	12,334	2,411	7,
Portarlington . . . . .	2,679	742	1,
Sligo . . . . .	13,361	2,175	10,
Tralee . . . . .	10,921	1,026	9,
Waterford . . . . .	29,160	2,287	25,
Wexford . . . . .	12,015	1,002	10,
Youghal . . . . .	6,749	677	5,
General Total . . . . .	788,866	126,649	591,

## RELIGIOUS DENOMINATIONS.

Established Church.	Presbyterians.	Methodists.	Independents.	Baptists.	Quakers.	Other Dissenters.	Jews.
2,858	913	172	62	5	2	13	2
991	64	14	7	15	9	8	...
1,361	84	260	3	3	...	21	...
18,371	1,403	2,827	208	134	109	381	11
1,005	55	70	...	...	15	12	...
1,827	562	289	349	24	23	272	...
314	1	25	...	...	...	...	...
971	82	39	...	1	85	50	...
1,722	411	202	115	129	...	29	...
12,302	917	905	137	68	268	125	...
1,223	931	57	12	...	...	6	...
1,166	221	140	2	2	...	14	...
50,331	637	1,931	413	201	329	837	254
1,464	327	60	2	1	...	12	...
1,241	338	107	...	2	8	11	...
191	10	3	...	2	...	1	...
363	53	19	2	...	...	8	...
2,161	148	191	...	...	...	2	...
1,144	185	140	50	3	...	110	...
1,217	92	31	1	1	4	12	9
655	12	58	...	...	...	2	...
4,292	416	334	189	12	80	65	1
4,330	165	448	...	11	120	36	...
3,499	498	263	167	74	1	37	...
504	13	17	22	1	...	7	...
539	34	22	4	1	5	19	...
2,411	874	171	44	3	2	26	...
712	...	45	1	...	...	...	...
2,175	290	255	127	6	...	15	...
1,028	75	91	5	...	...	...	...
2,287	253	274	40	51	222	123	...
1,002	55	56	2	1	17	16	...
671	16	57	11	...	7	7	...
126,648	4,135	9,573	1,975	751	1,306	2,277	277

No. VIII.—LETTRE DE MGR. L'ÉVÊQUE D'ORLÉANS, A L'AUTEUR.  
—(See Prefatory Notice, after the Title Page, *ante*.)

MON CHER AMI,

C'est toujours un bonheur pour moi quand je vois paraître un beau et bon livre. Mais celui que vous publiez en ce moment touche de trop près à une de mes plus vives et plus profondes sympathies, pour que je ne sois pas tout spécialement heureux d'en saluer l'apparition.

Il m'a été donné un jour, et c'est une des consolations de ma vie, de plaider en France la sainte cause de l'Irlande : c'est ce que vous faites aussi et bien mieux que moi dans votre savant et éloquent ouvrage.

Ce qu'un discours ne comportait qu'imparfaitement, un livre vous permettait pleinement de le faire : de toute dire, de tout révéler, de proclamer l'entière vérité, de donner la pleine lumière sur les ineffables maux de ce catholique et infortuné pays.

On sait bien que l'Irlande a été opprimée ; on sait qu'elle gémit : mais, séparés que nous sommes d'elle par l'orageux océan, c'est de trop loin et trop affaiblis que nous arrivent les cris de sa détresse et de sa douleur.

Il faut entendre, il faut voir de près ce qui se passe, ce qu'on souffre, là-bas, dans cette île, au milieu des mers.

La vérité, la vérité simple, terrible, il faut la dire ; vous la dites : les faits, les faits quotidiens, irrécusables, écrasants, il faut les faire connaître ; vous le faites.

Grâce à votre enquête personnelle, à vos longues et infatigables recherches, à votre opiniâtre étude des faits, à vos renseignements précis, positifs, innombrables, chacun désormais peut voir de ses yeux, et pour ainsi dire toucher de ses mains, la vérité sur l'Irlande.

Et cette vérité, c'est qu'il y a eu sur la terre un peuple dont le sang a coulé goutte à goutte pendant trois siècles, dont les enfants meurent souvent encore dans l'horrible agonie de la misère et de la faim, en face et sous la main d'une opulente nation ; et cela, en Europe, en plein christianisme, en plein soleil du xix<sup>e</sup> siècle !

On accusait les amis de l'Irlande d'exagérer ses malheurs. On ne pouvait pas croire qu'un peuple pût souffrir aujourd'hui, au milieu des nations européennes, cet excès de misère et d'oppression. Eh bien ! voilà, non des plaintes vagues, mais une étude sérieuse, et des faits ; et, grâce à vous, désormais on pourra voir, dans les plus intimes et les plus authentiques récits, ce que l'Angleterre a fait de l'Irlande, ce qu'ont déchainé de calamités de tout genre sur ce malheureux pays les lois, l'administration, les hommes qui l'ont régi et le régissent encore. On pourra voir qu'il y a près de nous un peuple condamné encore chaque jour à s'expatrier, évincé violemment du sol qu'il cultive, livré

sans pitié à la merci des trop célèbres landlords, opprimé dans tous les détails de sa vie, ruiné, affamé, réduit enfin à un état de misère tel, qu'un archevêque de Dublin s'adressant, il y a cinq ans à peine, au gouvernement anglais lui-même, comparait l'Irlande "à une terre ravagée par le fer et par le feu !"

Voilà ce que vous démontrez ; et cette démonstration est irréfutable : car, comme on publie tout en Angleterre, tous vos documents sont officiels : vous les empruntez à ceux-là mêmes qu'ils condamnent, et auxquels la force de la vérité et le cri de la conscience arrachent ces terribles aveux.

C'est un inappréciable service rendu à l'Irlande que d'exposer ainsi aux regards du monde entier, avec tous les détails que ce grand et lugubre sujet comporte, l'immense et persistante iniquité dont l'Irlande est victime, "ce grand crime social, le plus grand de tous," comme l'a dit le *Times* lui-même.

Mais un autre grand mérite de votre livre, c'est qu'il jette des flots de lumière sur une question vitale à notre époque, et à toutes les époques, je veux dire sur ce que peut le catholicisme pour les résistances du droit désarmé aux prises avec la force toute-puissante, ce que peut la foi pour la défense d'un peuple opprimé et gémissant sous le poids d'un gouvernement tyrannique ; en un mot,—car la cause de l'Irlande n'est ici qu'un cas particulier, le phénomène est général,—ce que peut le courage chrétien pour la grandeur, la dignité, la liberté des sociétés humaines.

Après vous avoir lu, on voit ce que l'Eglise sait maintenir de consolation, de vie et de force au sein des peuples destitués de tout secours humain, et on voit aussi ce que l'erreur, devenue maîtresse, sait communiquer d'ardeur persévérante pour le mal, de ténacité, de perversité oppressive sous toutes les formes, à un gouvernement d'ailleurs sensé, éclairé, libéral, et peut-être en tout le reste le moins imparfait de tous.

Evidemment, au point de vue historique, et d'après les faits innombrables si exactement et si impartialement analysés dans votre livre, la cause des maux de l'Irlande,—et rien n'est plus glorieux pour elle,—c'est son attachement à l'Eglise.

Si, au xvi<sup>e</sup> siècle, comme vous le démontrez avec une grande force, l'Irlande eût suivi la pente fatale sur laquelle a glissé l'Angleterre, l'Irlande, pour prix de son apostasie, eût été laissée en paix. On ne lui aurait pas ravi ses libertés ; elle eût gardé pour elle les richesses de son Eglise et de son sol ; et peut-être s'associerait-elle aujourd'hui sans remords aux entreprises d'une odieuse politique, qui semble, depuis quelques années surtout, n'avoir d'autre inspiration que l'égoïsme, et s'appuyer sur le principe même de nos pires révolutionnaires, la souveraineté du but.

Mais, grâces en soient rendues à Dieu, il n'en a pas été de la sorte, et le monde a eu un autre spectacle ! Là, dans cette île évangélisée par le glorieux saint Patrice, dans cette île des saints, qui a envoyé autrefois à l'Europe tant de missionnaires et de généreux apôtres, une race s'est rencontrée, avant tout fidèle à l'Evangile, prête à sacrifier tout le reste aux droits sacrés de la conscience, et à souffrir, plutôt que de vendre son âme et l'âme de ses enfants, le martyr par le sang, le martyr par le faim et par l'exil, le martyr persévérant et séculaire d'une inénarrable pauvreté ; et cela aussi longtemps qu'il plaira à Dieu de permettre les excès de l'oppression protestante pour faire éclater le miracle de l'héroïsme catholique.

Voilà le magnifique exemple donné au monde par l'Irlande. Tandis que près d'elle une nation, réputée si forte et si ferme, cédait tristement, laissait aller sa foi au gré des rois, et mettait sa conscience sous tous les jougs, l'Irlande, elle, résistait invinciblement ; et ni l'hérésie, ni le schisme ne l'entamaient, et aujourd'hui encore l'Eglise ne voit pas sur toute l'étendue de la terre un peuple plus dévoué par le fond de ses entrailles à la grande unité catholique, et à la sainte Eglise romaine qui en est le centre immuable.

C'est là un spectacle digne de la bénédiction de Dieu et de l'admiration des hommes, et dont la seule pensée ravit mon cœur d'enthousiasme, en même temps qu'elle le brise de douleur.

Si je ne croyais déjà à la divinité de l'Eglise catholique, il me suffirait, pour m'en convaincre, de méditer votre livre : vos enseignements sont d'autant plus forts, plus décisifs, que vous empruntez à l'hérésie elle-même la plupart des témoignages que vous rendez contre elle.

Ainsi d'un côté, voilà un peuple courageux, loyal, chaste, laborieux, qui ne réclame autre chose que le droit d'adorer librement son Dieu, de vivre de son travail, de transmettre à ses enfants le patrimoine acquis au prix des plus honorables sueurs ; c'est-à-dire le droit accordé par la société et par la nature à quiconque n'a pas pris rang publiquement parmi les malfaiteurs et les scélérats.

Or, un jour est venu dans l'histoire où, tout d'un coup, sans aucune forfaiture de sa part, ce peuple a perdu tout à la fois liberté de conscience, liberté de travail, liberté de propriété, égalité devant la loi ; et ce n'est qu'au bout de trois siècles qu'il commence à reconquérir par imperceptibles parcelles ces droits inaliénables ; et depuis qu'on se pique d'humanité à son égard, faut-il dire que le plus clair des bienfaits qu'on lui accorde, c'est l'expropriation de son propre sol, et comme les ennemis même de l'Irlande l'ont proclamé, c'est l'extermination non par le fer, mais par la famine et l'exil ?

Cependant après trois siècles d'aussi effroyables injustices, ce peuple garde sa foi, la supériorité de ses mœurs, la loyauté de son caractère, la

fidélité aux maîtres que l'impénétrable justice de Dieu lui impose : et c'est manifestement dans son indomptable attachement à l'Eglise catholique qu'il trouve la force de pratiquer des vertus dignes des catacombes.

Que voit-on d'un autre côté ? Une grande nation, très-certainement destinée par la Providence à jouer un des premiers rôles en ce monde, qui, au xvi<sup>e</sup> siècle, apostasie à la suite d'un monarque au front duquel se verra éternellement une tache de sang et une tache de boue : cela fait, cette nation a choisi à côté d'elle, et pour ainsi dire dans son sein, tout un peuple pour victime. Pendant trois siècles de pleine impunité, elle a eu recours, non pas à la doctrine,—l'erreur ne procède jamais ainsi là où elle est maîtresse,—mais à tous les genres de supplices, aux proscriptions sanglantes, aux confiscations en masse, et à cette atroce législation, dont le célèbre Burke a dit : “J'aurais vu une machine aussi bien faite et mieux adaptée pour opprimer, écraser et dégrader un peuple ; jamais le génie pervers de l'homme n'a rien inventé de pareil contre l'homme.”

Eh bien ! dans ce duel prolongé entre l'Angleterre toute-puissante, mais protestante, et l'Irlande effroyablement pressurée, mais catholique, où est le vainqueur, où est le vaincu ? c'est-à-dire, car il est ici question d'une victoire toute morale, où est la dignité, l'honneur, la justice ? qui doit céder enfin ? Evidemment, toutes les voix contemporaines le proclament, toutes les lignes de votre livre le démontrent, c'est l'Angleterre. C'est elle qui, sous peine de l'anathème universel, et en fin de compte peut-être un jour sous peine de sa propre ruine, doit changer ses dures lois, ses détestables coutumes, ses traditions oppressives.

L'Irlande opprimée, épuisée, broyée, mais toujours catholique, l'Irlande, par le seule force de son principe, a donc vaincu l'Angleterre. C'est l'Irlande dont les droits aujourd'hui sont reconnus, sinon satisfaits ; c'est l'Angleterre dont la conduite est stigmatisée même par des voix anglaises... et par les voix honnêtes et libres du monde entier.

Mais, après la victoire morale, il y en a une autre que nous attendons avec confiance et que votre livre fait pressentir.

Je crois fermement avec vous que la fin de l'épreuve approche, malgré tant de signes décourageants qui viennent chaque jour encore déconcerter les amis de l'Irlande et les vrais amis de l'honneur anglais.

Oui, c'est depuis trop longtemps que l'Angleterre traîne après elle, et foule sous ses pieds toute une race odieusement traitée, tyranniquement asservie, cruellement affamée. Elle ne voudra pas que ce crime social, comme l'appellent ses hommes d'Etat eux-mêmes, l'accuse éternellement devant le monde civilisé. L'oppression cessera enfin ; et quand, à la faveur d'une sympathie généreuse, de lois justes et d'une administration équitable, l'Irlande, la pauvre Irlande aura refleurie, un grand acte de

justice aura été accompli dans le monde, et une prospérité de plus s'ajoutera aux prospérités du peuple anglais.

Et dès ce moment, je suis heureux de constater que les préjugés anti-catholiques tendent à s'effacer en Angleterre. Cette grande nation semble enfin capable d'entendre la vérité et toute la vérité sur la question irlandaise. Ses hommes d'Etat eux-mêmes, bien qu'ils soient de tous les plus difficiles à convaincre que l'honneur et la justice sont après tout la meilleure politique, ont cessé de dire de l'Irlande ce que disaient du peuple juif les conseillers de Pharaon... *Venite, sapienter opprimamus eum*. Si on n'a pas encore le courage de supprimer toutes les lois iniques, du moins on n'en crée plus de nouvelles. Il est manifeste que l'équité et le bon sens finiront par avoir raison contre tous les vieux préjugés de secte et de race.

Et voilà ce qu'aura pu pour la délivrance d'un peuple la longue patience, l'opiniâtre fidélité à ses mœurs et à sa foi, et la pacifique et incessante revendication de ses droits et de sa liberté.

Telle est la sainte Eglise catholique dans sa méthode pour relever les peuple opprimés. Elle ne conseille ni ne pratique jamais la violence ; mais elle ne se lasse jamais, elle ne désespère jamais, elle ne s'arrête jamais, suivant la parole des saints livres : *Erue eos qui ducuntur ad mortem, et qui trahuntur ad interitum, LIBERARE NE CESSES*. (Prov. xxiv. II.)

Il ne me reste plus, mon cher ami, qu'à vous féliciter encore une fois d'avoir été, dans ce livre tout entier, l'organe fidèle de notre commune mère, d'avoir élevé en faveur de l'Irlande une voix libre, sincère, désintéressée, courageuse et pure : digne en tout de faire entendre aux oppresseurs la parole de vérité, aux opprimés la parole de résurrection. De pareils livres honorent le sacerdoce : il est glorieux pour nous de prendre en main la sainte cause des opprimés, et il convenait du reste que ce fût de la France et des rangs de notre clergé que sortissent les voix appelées à l'honneur de plaider la cause d'une nation, sœur de la France, et d'un clergé qui s'est montré tant de fois le frère et l'ami du clergé français.

Tout à vous en Notre-Seigneur,

✠ FELIX, EVEQUE D'ORLÉANS.

Orléans, le 9 avril 1862.



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By REV. ADOLPHE PERRAUD.

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From the *Dublin "Freeman's Journal."*

"It would be quite impossible, within the limits of an ordinary newspaper review, to give anything like a complete analysis of a work embracing so many important topics, each of which is treated in a manner so masterly and exhaustive. . . . It is decidedly one of the few practical books written about Ireland. . . . The work is throughout characterised by a wholesome moderation of tone."

From the "*Cork Examiner*."

"We have seldom read an abler work on Ireland than this; and never an abler one on Ireland of the present day . . . There is little doubt but that it will henceforth take a high position as an important text-book on Ireland and the Irish. . . . Care, painstaking, and energy, are evidenced in every page of it; but the mad partizanship, which destroys most causes into which it is introduced, never obtrudes itself in its absurd prominence on the reader. Shortly, we may reiterate our praise, that a more careful and orderly collection of facts on Ireland and her people, or a more reasonable and convincing series of arguments founded on those facts, we have not seen in any publication upon the same subject, for a great many years. The library of no Irishman will be complete without it.

"The highest praise is due to Mr. Duffy for his enterprize in presenting such a volume to the public of these countries. The translation is excellent, and evidently by a scholar and a practical penman. The typographical and other mere material details of the book are looked after in such a manner, as to be the highest credit to the energetic publisher."

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From Letter of late W. S. O'Brien (addressed to J. P. Leonard)  
 ("Nation," 19th July, 1862).

"After a careful perusal of the Abbé Perraud's recent work upon Ireland, I am able to say, with confidence, that it is the best exposition of the present state of Ireland in regard of its material, social, and political interests, that can be consulted by one who is desirous to be made acquainted with the condition of this country. . . . He appears to have entertained a most conscientious desire to ascertain the exact truth, and to present it in an unquestionable form, as the foundation of all his reasonings and deductions. . . . Though many years of my life have been given to the study of the history, statistics, and political interests of Ireland, I have personally found this summary to be a most instructive digest of scattered facts and inferences."

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From the "*Catholic Telegraph*."

"The fullest, the clearest, the most comprehensive, and the most reliable account of the general condition of Ireland, that has ever been published beyond our own shores. . . . We deem its publication an event rather national and political than merely literary."

[TRANSLATED FROM CONTINENTAL AUTHORITIES.]

Letter of M. Gustave de Beaumont, Member of the Institute  
of France.

"I do not believe that I have ever read any book in which the sources of information are more abundant, and in which the facts, collected as they have been with scrupulous conscientiousness, are represented with greater talent and candour. . . . My sole regret is to have employed terms which do not adequately express the keen interest and the deep sympathy with which I am inspired by the reading of your beautiful book. I sincerely desire that its influence may extend as widely as possible, both in the Old and in the New World. The talent of the author and the solid merit of his work will be the guarantees of its success."

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Letter of present Archbishop of Paris (Mgr. Darboy).

"The cause of Ireland has long been gained in the judgment of all men, whose heart is Catholic or whose conscience is honest. But that cause, like several others, has against it the argument of superior force, an argument unhappily of great weight with the governments of Europe. In this state of things, it is proper for those who have ability with the pen or at the tribune, to vindicate the principles that have been betrayed, and the rights that have been denied. That, reverend father, is what you have done for Ireland, lying crushed under the English power; and you have done it with such knowledge and such talent, as cannot fail to win the sympathy and approval of honourable minds. In reading your book, two ideas have often recurred to my mind; on the one hand, I have comprehended how great is the unhappiness of a cause and a people to whom God sends not a man with knowledge, will, and power; on the other, I have contemplated, with small respect, a constitutional mechanism which suffocates and crushes with impunity a whole nation; and I have felt with indignant pride, that my own country could find neither in its laws nor in its instincts the means of committing a base murder like that which disgraces England."

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From the "*Espérance*" (Nancy).

"When, some years ago, the discovery was made of the remains of the three cities of Herculaneum, Pompeii, and Stabiae, buried and preserved under the ashes of Vesuvius, there was great emotion among the learned. Except life, nothing was wanting, neither houses, nor furniture, nor inhabitants; and there lay before our eyes the whole ancient social existence, taken from the life, from the movements of the street and the market-place, to the inmost mysteries of the domestic hearth. We confess that we experienced an emotion not less deep, though of a different

kind, when we saw arise before us, in the book of Abbé Perraud, not the phantom of a dead city, but the living reality of a nation with all its limbs still bleeding, in this nineteenth century, from the wounds inflicted in the middle ages by the brutalities of conquest, and more recently, at the time of the Reformation, by the hypocritical fanaticism of heresy. The author, in this painful inquiry, has pushed his scruples as to accuracy to the length of declining the testimony of the victims. In presence of unexampled suffering, he has reserved to himself only the right to judge the oppressor and to pity the oppressed."

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*"Revue Catholique" (Brussels).*

"In these days, when it is so much the fashion to kneel down before triumphant iniquity, and to ratify with marked complaisance accomplished facts, in which the injustice of the means is pardoned for sake of the importance of the object; when, in short, people are dazzled by the really fascinating greatness of the British colossus into forgetting its shameful plague-spots, we need not be surprised at the indifference with which every advocate of Green Erin is regarded. Nevertheless, let the bright standard of truth be unrolled before the eyes of the people! Father Perraud has unrolled it. He presents to the public a complete work upon Ireland. We shall confine ourselves, like the illustrious Bishop of Orleans, to congratulating the author on having raised, in behalf of Ireland, a voice that is frank, sincere, disinterested, courageous, and pure—a voice altogether worthy to make the oppressor hearken to words of truth, and the oppressed to words of resurrection."

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*"Journal Générale de l'Instruction Publique" (Paris).*

"This great work is the true and touching history of Ireland in our own times. It contains full information upon all the political and religious questions which have been pending between England and Ireland for three centuries past. To indicate the importance of the work, it is enough to mention the valuable information which it contains, the precision, order, and clearness which distinguish it, the earnestness of the discussions which abound in it, and the lofty bearing of the considerations put forward by the author. Certainly, there is no book with which we are acquainted so rich in facts, so rigorously accurate, so conscientious, and so courageous respecting the people of Ireland—a people worthy of our sympathy."

“*Le Correspondant*” (Paris).

“We announce, with the liveliest satisfaction, the appearance of this generous book, in which a just cause is defended by the loyal erudition of an upright and courageous man, who passionately loves justice. In the long labours of preparation for his work, we may easily see that Father Perraud has kept in mind the traditions of patient analysis and of serious investigation, which he derives from the *Ecole Normale*. His work is one of exact science. There is no place in it for declamation: the business was to reason and to prove. He reasons and he proves. Nothing has been neglected in order to give the argument all the force which it should have. The author is entitled to speak upon the real condition of Ireland. What he had learned by long preparatory studies, and by careful reading of journals and books, he went to verify by his own eyes. He conversed with the people who are now suffering. He was among them yesterday. . . . . But the inquiry results in proving facts of such a nature, as to seize upon the whole soul of the reader, and cause an outburst of irrepressible emotion. Yes, the book of Father Perraud is a book of emotion. We can perceive, through the severe calmness of his tone, that the author suffers while he writes. We can perceive that the spirit which dictates is that of a just man, a Christian, and a priest; and also, that the purest passion for justice suddenly kindles the writer's style. Passion for justice! “Happy are they,” says our Saviour, “who hunger and thirst after justice.” Let us bless God for having put that sacred hunger into the hearts of many in our days. . . . . May the dear author find a solid encouragement in the beautiful words addressed to him by the Bishop of Orleans, as he has already found the better part of his reward in the joy that generous hearts experience in feeling that they have laboured well for truth, for liberty, for justice—that is to say, for the service of God!”

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“*Revue d'Economie Chrétienne*” (Paris).

“The work of the eloquent priest of the Oratory is at once a social inquiry, a political lesson and programme—a programme for Ireland, a lesson for England. . . . It is not, then, surprising that we signalise in this book, not only one of high social importance, but also one that is truly pathetic. All the elements of a drama are there: and what is remarkable is, that the author has found the drama without seeking it. In the two volumes there is not a phrase, not a word, of declamation. The facts speak for themselves; but those facts are of such interest, of such natural force, of such innate eloquence (so to speak), that the reader is irresistibly carried away, that he feels himself altogether taken possession of, and that every step he advances he experiences a new emotion. In ordinary questions, statistics are dry, figures are only figures: here—sad privilege of the statistics of Ireland—the figures are tear-drops.”

From another Notice in the same Review.

"It was not without some apprehension that friends of Father Perraud saw him engage in so perilous an enterprise. When, two years ago, he set out for Ireland, and, after important preparatory labours, commenced that conscientious investigation which earned for him the noble title, given him at an Irish public meeting, of "Missionary of Justice," the immense difficulties of such a task might well be pointed out to him without any over-timidity. To consider, under a thousand different aspects, the life of an entire people; to plead a cause which involves questions at once the humblest and the most complicated, as well as political and religious interests of the highest order; to fathom a system of legislation obscure, ancient, fertile in perfidious resources and captious arrangements, skilfully disposed for concealing despotism under a veil of legality, complicated still more by a crowd of exceptional laws, passed in moments of trouble and danger; to conduct this inquiry with such calmness as to preserve from doubt the impartiality of a Catholic priest; to render to England the justice to which she is entitled, and to attack her administrative crimes without denying her grandeur; such is the redoubtable problem which Father Perraud had to resolve, and it may be affirmed that he has resolved it. His two volumes are a *chef d'œuvre* of ability, clearness, moderation, and judgment. Whilst the purity and strength of the language, the severe method of examination applied to the smallest questions, the unassailable rigour and equity of his conclusions, recal to mind the pupil of the *École Normale*, all that learning is vivified by a higher inspiration, and a restrained but evident emotion reveals to us the heart of the priest, and animates the studies of the historian. The preciseness of his information, the minuteness of his inquiry, can descend to the smallest details, without needless delay, and without ever missing the path; and I doubt whether it is possible to name many such performances, in which an author has given proof of so enlightened and so perfect an acquaintance with a country not his own.

"But wherefore (perhaps it will be said) such toils and such vigils in behalf of the cause of a foreign people? We may reply, that the cause of that people, being, above all, a Catholic cause, concerns all Catholics, all those who desire the reign of Jesus Christ and the spread of His Church. But this cause is also a French cause, and, as such, one worthy to fix the attention of French readers. It interests all who believe in justice, who desire the reign of justice upon the earth: and if France has taken a grand place among the nations of Europe, she owes it above all to those generous impulses which have often placed her opinion or her arm at the service of the oppressed, apart from all considerations of interest. Besides, if England cares little for the complaints of the Irish, she cares more for what is thought upon the Continent of her equity and justice. To exhibit the wounds of Ireland to Europe, is the surest and best way of inciting England to heal them."

*"Etudes Religieuses, Historiques, et Littéraires."*

"Ever since its appearance, this book has attracted the notice and obtained the deserved praises of men the most remarkable for their talents, and for their love of grand and holy causes. The letter addressed to the author by Monsgr. Dupanloup, is a eulogy to which nothing can be added. Monsieur Gustave de Beaumont, an excellent judge in such a case, has sent two letters of congratulation to Father Adolphe Perraud. In fine, an orator who kept under the charm of his eloquence, throughout the Lent season, one of the most distinguished auditories of Paris (M. Mermillord, now Archbishop of Geneva), gave solemn testimony of the merits of this work, in a discourse pronounced at the Church of Saint Clotilde, in behalf of the Irish poor. It is to be wished that, in every controversy, the same moderation of ideas and of language were observed, which we find in Father Perraud. His pleading in favour of an oppressed nation is prodigiously winning, because of its tone of calmness, impartiality, and conviction. History (and this book is a page of history which will endure) ought to proceed upon the support of facts much more than upon that of sentiments. . . . We think that this book will overthrow many a prejudice, will enlighten many a doubt, will draw to Ireland new sympathies, which will contribute to lighten its yoke, to soothe its sorrows, if they do not succeed in obtaining for her the political and religious equality for which she pants, and which seems to be her inalienable right."

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*"L'Espérance du Peuple" (Nantes).*

"This keen and judicious pleading, which does not leave in shade any of the faces of that good question, has another merit besides—that of opportuneness. Never did "liberal" England more openly—not, indeed, by cannon-shots, but by artifices of words—declare in favour of the principle of nationality. But John Bull's wordy efforts in behalf of the emancipation of Hungary, of Poland, of Italy, will not, I imagine, be lost for Ireland, which is truly called the robbed nation; for, soon or late, after having drawn all those people into the ways of deliverance, she must let go the one she most unjustly strives to hold to herself. Upon the day, perhaps not distant, when Ireland will recover her legitimate independence, the cunning foxes of London will be taken in the nets of their own false liberalism, of their policy of agitation and duplicity."

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*"Moniteur de Calvados."*

"This is a great and serious book, inspired by an ardent charity, written with scrupulous conscientiousness, with a moderation and impartiality which never belie themselves. The style is firm, concise, of

a genuine eloquence, which says only what it intends to say, which does not aim at effect, and yet which seizes, sways, forces on the reader.

“Regarding this book, it may be said that it strikes hard because it strikes fair. . . . ’Tis a final appeal brought against England before the tribunal of public opinion, an indictment the more formidable that it is supported at every step, as we have said, by avowals that have escaped from English lips and English pens.”

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*“Revue de l’Année” (Paris).*

“I declare that this is heart-breaking; and one has not even the resource left of saying—‘Perhaps it is an exaggeration.’ The historian is manifestly too impartial, too earnest, too calm in his emotion, for the possibility of a doubt as to his veracity.”

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